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BDR

19CR81170

Verified Correct Copy of Original 12/16/2019

820927
IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

STATE of OREGON,)
Plaintiff,)
vs.)
Patrick Ell)
Defendant.)

Booking Number: MLL-74896603
Date/Time of Arrest: 12/13/19 @ 2300

THIS BOX FOR USE BY JUDGES ONLY
JUDICIAL FINDING OF PROBABLE CAUSE

Booking Charges
ASSAULT II

Probable cause does does not exist
Probable cause does does not exist
Probable cause does does not exist
Probable cause does does not exist

FILED

DEC 16 2019

Circuit Court

Multnomah County, Oregon
Judge of the Circuit Court

Date

"For Judicial Use Only"

Additional charges for which probable cause exists

AFFIDAVIT OF PROBABLE CAUSE

I, Chris Traylor, do hereby swear under oath and affirmation that the following conduct occurred in Multnomah County, Oregon and that each box I have checked and all information I have written or attached are true:

- 1. That this incident occurred on 13 day of December, ~~200~~ 2019.
- 2. That I personally observed the following conduct:

3. That I was told by _____ that he/she observed the following conduct:

* See Attachment *

4MATE
21W31 JYITOMT
MOD 31110E
S18V32
1502 00 YFRAVINE

071189001

4. (If applicable) That I observed the following injury or property loss:

5. (If applicable) That _____ told me that the injury or property loss was as follows:

6. (If applicable) Statements made by the defendant to myself or to Officer _____ regarding this incident are as follows:


7. (If this is a drug case) That I have been a police officer for _____ years. In that time I have had training in drug recognition and I have seen illegal controlled substances on

at least _____ occasions OR on _____ occasions.

Based upon my training and experience I believe the substance seized from defendant is _____, which is an illegal controlled substance. I describe the substance as follows:

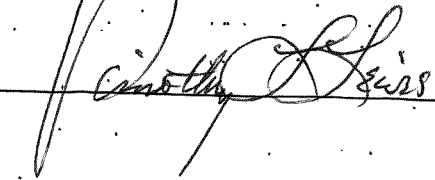
8. (If applicable) In addition to the statements I have made above, I believe that the following information, attached information, or attached police reports is true, and is important in establishing probable cause:

Date 12/14/19



Signature of Affiant SWORN BEFORE A NOTARY PUBLIC OR A JUDICIAL OFFICER

SUBSCRIBED AND SWORN TO BEFORE ME ON THE ABOVE DATE:

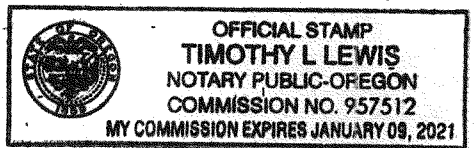


Reviewing Supervisor _____

Notary Public For Oregon
My Commission Expires 01/05/21

Deputy Clerk - Circuit Court

Judge of the Circuit Court



I know on December 13, 2019 at about 2113 hours, a female (later identified as Danielle McQueen) called 9-1-1 to report witnessing an assault of one male by another male. The female caller reported the victim was struck on the head with an object and was bleeding heavily. During the 9-1-1 call the female is heard to ask the victim (later identified as Matthew Rygg) what the weapon used was. The weapon is described as a baseball bat. The caller also is heard to report the victim has identified his attacker as Pat Ell.

I know Ms. Sara Westbrook, an employee of the University of Portland called the Police Bureau to report information related to this incident. Briefly stated Ms. Westbrook reported both Patrick Ell and Matthew Rygg were familiar with each other having been employed together at the university. Ms. Westbrook reported she knew Patrick Ell to be angry at members of the University Staff, particularly Mr. Rygg, believing an internal investigation had failed to hold a person accountable for a reported sexual assault of Mr. Ell's daughter.

I know Officer Winter responded to the call and using the information provided by the victim, drove to the residence of Patrick Ell. Mr. Ell was taken into custody without incident. I know Officer Haas assisted Officer Winter and wrote a report related to a statement made by Ms. Kristen Ell, wife of Patrick Ell. The reports includes the following:

"...Ofc Winter asked that I talk with Ell's wife (identified as Kristen Ell) to see if I could get any information about where Ell was on this night. I was not able to disclose any information regarding the case to Kristen per detectives. I asked Kristen where her husband was tonight. Kristen stated that he was with her at a Christmas Party for most of the night and then at home. I asked Kristen if there was anytime that Ell left the house or went to the store etc. She stated no. I asked Kristen if there was anytime that she was not with Ell. She stated that Ell left the Christmas Party about 10-15 minutes prior to her leaving (around 2100 hours) as they drove separate vehicles. She stated that he was alone and that he arrived home about 20-30 minutes after she arrived home at 2130 hours. Kristen did not know what Ell did during that time. Ell then remained at the house with his wife and daughter watching TV..."

I know, the victim, Mr. Rygg, was transported to Emanuel Hospital where he was treated for several lacerations to his head. Mr. Rigg's treatment included the placement of some 18 staples into his scalp.

I know I have spoken with Ms. Sara Westbrook an employee of the University of Portland. I know Ms. Westbrook told me the following: Mr. Patrick Ell was formally an employee of the University of Portland. Some three years ago, Mr. Ell brought forward an allegation related to a sexual assault of his daughter who was also attending the school. Ms. Westbrook explained the University conducted an investigation (including speaking with the daughter) and found the allegations to lack merit. Ms. Westbrook explained the matter to me but, at this time, I wish to protect the privacy of all those concerned.

Ms. Westbrook told me Mr. Ell was angry about the allegations and about the University's investigation and conclusion. Ms. Westbrook said Mr. Ell's behavior and anger later resulted in his leaving the school. Ms. Westbrook told me she believed Mr. Ell was particularly upset with Matthew Rygg.

I know I have interviewed Mr. Rygg and he had told me the following: He has known Patrick Ell for some three years and knows Patrick Ell to be angry with both himself and the University of Portland about the sexual assault investigation. Mr. Rygg told me Mr. Ell has been emailing messages to him and sending him messages via the social media site, Facebook. Mr. Rygg said he last received such a message some three months ago. Mr. Rygg stated the messages were not threatening in nature.

Mr. Rygg told me tonight he returned to his residence and observed a male loitering nearby. Mr. Rygg said the male did not speak but did suddenly begin to strike him with what he, Mr. Rygg, believed to be a baseball bat. Mr. Rygg told me he recognized the male to be Patrick Ell. I asked Mr. Rygg to provide me with a physical description of his attacker. Mr. Rygg described the male and the Court should note the description is consistent with male in custody, Patrick Ell. Mr. Rygg told me Patrick Ell struck him several times with great purpose and anger. Mr. Rygg told me he believed Patrick Ell was attempting to kill him. Mr. Rygg told me Patrick Ell also chased him down the street and struck him when Mr. Rygg attempted to call 9-1-1.

For the reasons stated above I have probable cause to believe the Patrick Ell, a white male, born June 11, 1967 has committed the crime of Assault II in violation of ORS 163.175.

PORTLAND POLICE BUREAU

ARREST / BOOKING

ADULT JUVENILE

PAGE/OF
1/1

CASE NUMBER 19-426860 REFER CASE NUMBER CLASSIFICATION

DATE/TIME ARRESTED 12-13-2019 2300 TYPE OF CUSTODY PROBABLE CAUSE

LOCATION OF CUSTODY 7303 N. CHAUTAUQUA BLVD, PORTLAND PRECINCT OF ARREST NORTH

ARREST SUMMARY ASSAULT 2

ARRESTEE

NAME OF PERSON IN CUSTODY (Last, First Middle) ELL, PATRICK R CRN SEX M RACE W DOB 06-11-1967 (52)

HEIGHT 5'7 WEIGHT 170 HAIR XXX EYES BRO FACIAL HAIR

HOME ADDRESS 7307 N CHAUTAUQUA BLVD CITY PORTLAND STATE OR ZIP 97217 HOME PHONE 503-289-2107

BUSINESS ADDRESS WORK PHONE MOBILE PHONE

SCARS / MARKS / TATTOOS

DRIVERS LICENSE 3926817 STATE OR SSN SID NO. FBI NO.

OTHER ID NUMBERS / REMARKS / UNIQUE FEATURES

AST INJURY INFORMATION

CHARGES

REFERRED TO MULTNOMAH COUNTY DETENTION CENTER ADVISED OF RIGHTS? No RESISTED ARREST? No ASSAULTED OFFICER? No

CASE NUMBER 19-426860 ORS / ORD OR163.175 CHARGE / WARRANT NO. ASSAULT II (M11) - MBF BAIL \$250,000 COURT DATE / TIME 12-16-2019 0830

ENTRY

DPSST

Desk

DPSST

Person

DPSST

FOR FORENSIC EVIDENCE DIVISION ONLY

Vehicles

NAME (Last, First Middle) POB

DPSST

IDENTIFIERS LISTED BELOW SEX RACE DOB HEIGHT WEIGHT HAIR EYES MCL #

Distributn.

OTHER FBI #

DPSST

PROCESSING JAIL TECH ID TECH TYPED CHECKED SID #

REPORTING OFFICER(S) / DPSST WINTER, JUSTIN M (51228) (51228) ASSIGNMENT NORTH

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