

22CR08677

**In the Circuit Court of the State of Oregon  
for Multnomah County**

STATE OF OREGON,

Plaintiff,

v.

BENJAMIN SMITH

22CR08677  
AFAW  
Affidavit - Arrest Warrant  
14902548



Defendant.

Court Nbr \*\*\*  
DA Case 2445315-1  
Crime Report PP 22-47502

AFFIDAVIT IN SUPPORT OF  
ARREST WARRANT FOR VIOLATION  
OF ORS 163.115  
ORS 163.107  
ORS 163.107  
ORS 163.107  
ORS 163.107  
ORS 163.185  
ORS 163.175  
ORS 163.185  
ORS 163.175

FILED  
22 FEB 22 PM 2:36  
CIRCUIT COURT  
FOR MULTNOMAH COUNTY

I, Mariel Mota, having been first duly sworn, depose and say that the accompanying accusatory instrument is based upon the information set forth below, which is true as I verily believe. That I am employed as a Deputy District Attorney for Multnomah County, Oregon. That in the course of my duties, I have reviewed search warrants and their resulting evidence, spoken with Portland Police Officers and read the incident report(s) that I know to have been prepared by Portland Police Bureau Detective Broughton concerning the investigation of criminal acts in Multnomah County, Oregon, committed by BENJAMIN SMITH.

That on February 19, 2022, Portland Police Bureau officers responded to an emergency call for service at the intersection of NE 55th Avenue and NE Hassalo Street in Portland, OR regarding 'multiple shots fired.' Upon arrival, a uniformed officer observed several people attempting to provide medical assistance to several other people on scene. The officer learned that multiple people had been injured by a firearm. Several people in the crowd identified an injured male as the shooter, and the officer quickly took him into custody while continuing to render medical aid. After emergency medical teams arrived on scene, multiple people were taken to the hospital for treatment. The ensuing police investigation revealed the following information, some of which was captured on video:

On February 19, 2022 between 2000 and 2100 hours, Benjamin Smith (hereinafter "Defendant") confronted a group of people engaged in an organized demonstration at Normandale Park. Defendant approached the demonstration and confronted several of its participants, yelling at them and demanding they leave the area. Participants are heard on the video telling

1 Defendant to leave them alone and return home. Defendant responds by demanding they "make" him leave and he  
 2 approaches a participant aggressively, who pushes him back. Defendant continues to yell at participants and a few moments  
 3 later, Defendant draws a handgun and fires at multiple people, striking five. The shooting ended when Defendant was shot in  
 4 the hip area. After everyone who needed medical attention received it, officers established a crime scene perimeter and  
 5 rapidly began their investigation.

6 Brandy Lynn Knightly was shot at close range in the head and died on scene. Four other people had gunshot wounds and  
 7 were transported to area hospitals, suffering varying degrees of injury:

8 'Victim 1' was struck in the neck, paralyzed from the neck down, and is currently hospitalized in critical condition; 'Victim 2'  
 9 was struck in multiple places, including the abdomen, and is currently hospitalized; 'Victim 3' was struck in multiple places  
 10 and has been treated and released by an area hospital; 'Victim 4' was struck in the upper arm area, and has been treated and  
 11 released by an area hospital. Defendant was also transported to the hospital where he was in critical condition, requiring  
 12 surgery due to a gunshot wound to his hip. Portland Police Bureau officers have remained with Defendant at the hospital  
 13 continuously since he was admitted.

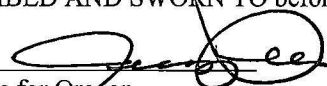
14 That the police report(s) from this incident and other computerized criminal records identify the defendant as  
 15 BENJAMIN SMITH, a White Male, 11/28/1978, with a last known address in Portland, Oregon.

16 That based upon the foregoing information, I have probable cause to believe that BENJAMIN SMITH has committed the  
 17 crime(s) of: COUNT 1 - MURDER IN THE SECOND DEGREE WITH A FIREARM, COUNT 2 - ATTEMPTED  
 18 MURDER IN THE FIRST DEGREE WITH A FIREARM, COUNT 3 - ATTEMPTED MURDER IN THE FIRST DEGREE  
 19 WITH A FIREARM, COUNT 4 - ATTEMPTED MURDER IN THE FIRST DEGREE WITH A FIREARM, COUNT 5 -  
 20 ATTEMPTED MURDER IN THE FIRST DEGREE WITH A FIREARM, COUNT 6 - ASSAULT IN THE FIRST DEGREE  
 21 WITH A FIREARM, COUNT 7 - ASSAULT IN THE FIRST DEGREE WITH A FIREARM, COUNT 8 - ASSAULT IN  
 22 THE SECOND DEGREE WITH A FIREARM, and COUNT 9 - ASSAULT IN THE SECOND DEGREE WITH A  
 23 FIREARM. I move the Court on the within information that a warrant be issued for the apprehension of said defendant.

24 Date 2/22/22

  
 Mariel Mota, Affiant, OSB# 135189

25 SUBSCRIBED AND SWORN TO before me this 22 day of February, 2022.

26   
 Notary Public for Oregon

27 My Commission Expires: Circuit Court Judge, Multnomah County  
At Sworn in person

at 2:12 pm