

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

22CR08677

Court Nbr
Crime Report PP 22-47502

DA 2445315-1

Verified Correct Copy of Original 2/22/2022.

STATE OF OREGON

Plaintiff,

v.

BENJAMIN SMITH
DOB: 11/28/1978

Information of District Attorney

ORS 163.115 (1)
ORS 163.107 (2,3,4,5)
ORS 163.185 (6,7)
ORS 163.175 (8,9)

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

Defendant(s).

The above-named defendant(s) is accused by this information of the crime(s) of COUNT 1 - MURDER IN THE SECOND DEGREE WITH A FIREARM, COUNT 2,3,4,5 - ATTEMPTED MURDER IN THE FIRST DEGREE WITH A FIREARM, COUNT 6,7 - ASSAULT IN THE FIRST DEGREE WITH A FIREARM, COUNT 8,9 - ASSAULT IN THE SECOND DEGREE WITH A FIREARM, committed as follows:

COUNT 1

MURDER IN THE SECOND DEGREE WITH A FIREARM

The said Defendant(s), BENJAMIN SMITH, on or about February 19, 2022, in the County of Multnomah, State of Oregon, did unlawfully and intentionally cause the death of , another human being, contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon,

The state further alleges that during the commission of this felony, the defendant used and threatened the use of a firearm.

This count is a part of the same act or transaction as the conduct alleged in the other counts of this charging instrument.

COUNT 2

ATTEMPTED MURDER IN THE FIRST DEGREE WITH A FIREARM

The said Defendant(s), BENJAMIN SMITH, on or about February 19, 2022, in the county of Multnomah, State of Oregon, did unlawfully and intentionally attempt to cause the death of ANOTHER, another human being, defendant having unlawfully and intentionally caused the death of Brandy Lynn Knight, an additional human being, in the course of the same criminal episode, and during the commission of this felony, the defendant(s) used and threatened the use of a firearm, contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon,

This count is a part of the same act or transaction as the conduct alleged in the other counts of this charging instrument.

COUNT 3

ATTEMPTED MURDER IN THE FIRST DEGREE WITH A FIREARM

The said Defendant(s), BENJAMIN SMITH, on or about February 19, 2022, in the county of Multnomah, State of Oregon, did unlawfully and intentionally attempt to cause the death of ANOTHER, another human being, defendant having unlawfully and intentionally caused the death of Brandy Lynn Knight, an additional human being, in the course of the same criminal episode, and during the commission of this felony, the defendant(s) used and threatened the use of a firearm, contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon,

This count is a part of the same act or transaction as the conduct alleged in the other counts of this charging instrument.

INFORMATION OF DISTRICT ATTORNEY

22CR08677
IF
Information
14900683



COUNT 4**ATTEMPTED MURDER IN THE FIRST DEGREE WITH A FIREARM**

The said Defendant(s), **BENJAMIN SMITH**, on or about February 19, 2022, in the county of Multnomah, State of Oregon, did unlawfully and intentionally attempt to cause the death of **ANOTHER**, another human being, defendant having unlawfully and intentionally caused the death of **Brandy Lynn Knight**, an additional human being, in the course of the same criminal episode, and during the commission of this felony, the defendant(s) used and threatened the use of a firearm, contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon,

This count is a part of the same act or transaction as the conduct alleged in the other counts of this charging instrument.

COUNT 5**ATTEMPTED MURDER IN THE FIRST DEGREE WITH A FIREARM**

The said Defendant(s), **BENJAMIN SMITH**, on or about February 19, 2022, in the county of Multnomah, State of Oregon, did unlawfully and intentionally attempt to cause the death of **ANOTHER**, another human being, defendant having unlawfully and intentionally caused the death of **Brandy Lynn Knight**, an additional human being, in the course of the same criminal episode, and during the commission of this felony, the defendant(s) used and threatened the use of a firearm, contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon,

This count is a part of the same act or transaction as the conduct alleged in the other counts of this charging instrument.

COUNT 6**ASSAULT IN THE FIRST DEGREE WITH A FIREARM**

The said Defendant(s), **BENJAMIN SMITH**, on or about February 19, 2022, in the County of Multnomah, State of Oregon, did unlawfully and intentionally cause serious physical injury to VICTIM 1 by means of a deadly and dangerous weapon, \contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon.

The state further alleges that during the commission of this felony, the defendant used and threatened the use of a firearm.

This count is a part of the same act or transaction as the conduct alleged in the other counts of this charging instrument.

COUNT 7**ASSAULT IN THE FIRST DEGREE WITH A FIREARM**

The said Defendant(s), **BENJAMIN SMITH**, on or about February 19, 2022, in the County of Multnomah, State of Oregon, did unlawfully and intentionally cause serious physical injury to VICTIM 2 by means of a deadly and dangerous weapon, contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon.

The state further alleges that during the commission of this felony, the defendant used and threatened the use of a firearm.

This count is a part of the same act or transaction as the conduct alleged in the other counts of this charging instrument.

COUNT 8**ASSAULT IN THE SECOND DEGREE WITH A FIREARM**

The said Defendant(s), **BENJAMIN SMITH**, on or about February 19, 2022, in the County of Multnomah, State of Oregon, did unlawfully and intentionally and knowingly cause physical injury to VICTIM 3, by means of a deadly and dangerous weapon , contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon,

The state further alleges that during the commission of this felony, the defendant used and threatened the use of a firearm.

This count is a part of the same act or transaction as the conduct alleged in the other counts of this charging instrument.

COUNT 9**ASSAULT IN THE SECOND DEGREE WITH A FIREARM**


The said Defendant(s), **BENJAMIN SMITH**, on or about February 19, 2022, in the County of Multnomah, State of Oregon, did unlawfully and intentionally and knowingly cause physical injury to VICTIM 4, by means of a deadly and dangerous weapon , contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon,

The state further alleges that during the commission of this felony, the defendant used and threatened the use of a firearm. This count is a part of the same act or transaction as the conduct alleged in the other counts of this charging instrument.

Dated at Portland, Oregon, in the county aforesaid, on FEBRUARY 22, 2022.

MOTA OSB 155189

MIKE SCHMIDT (084679)
District Attorney
Multnomah County, Oregon

By 
Issuing Deputy, OSB # 155189

Security Amount (Def - SMITH) NO BAIL + \$250,000 + \$250,000 + \$250,000 + \$250,000 + \$250,000 + \$250,000 + \$250,000 + \$250,000 + \$250,000

Uniform Complaint

AFFIRMATIVE DECLARATION

The District Attorney hereby affirmatively declares for the record, as required by ORS 161 566, upon the date scheduled for the first appearance of the defendant, and before the court asks under ORS 135 020 how the defendant pleads to the charge(s), the State's intention that any misdemeanor charged herein proceed as a misdemeanor

Pursuant to 2005 Or Laws ch. 463 sections 1 to 7, 20(1) and 21 to 23, the State hereby provides written notice of the State's intention to rely at sentencing on enhancement facts for any statutory ground for the imposition of consecutive sentences codified under ORS 137.123 on these counts or to any other sentence which has been previously imposed or is simultaneously imposed upon this defendant.

Verified Correct Copy of Original 2/22/2022.