

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

Verified Correct Copy of Original 12/16/2021.

STATE OF OREGON

Plaintiff,

v.

MILES DOUGLAS FURROW  
DOB: 02/15/1981

AND

TUSITALA JOHN TOESE  
DOB: 05/25/1996

AND

JUSTIN MICHAEL GLIDDEN  
DOB: 04/23/1985

Defendant(s).

Court Nbr

21CR61216

Crime Report PP 21-681328

DA 2441395-1  
2441395-2  
2441395-3

**SECRET INDICTMENT**  
**BALLOT MEASURE 11**

**Indictment for Violation of**

ORS 163.175 (1,3,4)  
ORS 163.165 (2,5)  
ORS 166.220 (6,7)  
ORS 166.015 (8,9,10)  
ORS 164.365 (11,12,13)

FILED

DEC 16 2021

CIRCUIT COURT  
MULTNOMAH COUNTY OREGON

The above-named defendant(s) are accused by the Grand Jury of Multnomah County, State of Oregon, by this indictment of crime(s) of COUNT 1,3,4 - ASSAULT IN THE SECOND DEGREE, COUNT 2,5 - ASSAULT IN THE THIRD DEGREE, COUNT 6 - UNLAWFUL USE OF A WEAPON, COUNT 6,7 - UNLAWFUL USE OF A WEAPON, COUNT 8,9,10 - RIOT, COUNT 9 - RIOT, COUNT 9,10 - RIOT, COUNT 11,12 - CRIMINAL MISCHIEF IN THE FIRST DEGREE, COUNT 11,12,13 - CRIMINAL MISCHIEF IN THE FIRST DEGREE, committed as follows:

**COUNT 1****ASSAULT IN THE SECOND DEGREE**

The said Defendant(s), **MILES DOUGLAS FURROW, TUSITALA JOHN TOESE, and JUSTIN MICHAEL GLIDDEN**, on or about August 22, 2021, in the County of Multnomah, State of Oregon, did unlawfully and intentionally and knowingly cause physical injury to **MARK NUNZIATA**, by means of a dangerous weapon, contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon.

This count is connected together by two or more acts or transactions with the other counts of this charging instrument. This count is of the same and similar character as the conduct alleged in the other counts of this charging instrument. This count constitutes part of a common scheme or plan based on two or more acts or transactions with the other counts of this charging instrument.

**COUNT 2****ASSAULT IN THE THIRD DEGREE**

The said Defendant(s), **MILES DOUGLAS FURROW, TUSITALA JOHN TOESE, and JUSTIN MICHAEL GLIDDEN**, on or about August 22, 2021, in the County of Multnomah, State of Oregon, did unlawfully and intentionally and knowingly, while being aided by another person actually present, cause physical injury to **MARK NUNZIATA**, contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon,

This count is connected together by two or more acts or transactions with the other counts of this charging instrument. This count is of the same and similar character as the conduct alleged in the other counts of this charging instrument. This count constitutes part of a common scheme or plan based on two or more acts or transactions with the other counts of this charging instrument.

**COUNT 3****ASSAULT IN THE SECOND DEGREE**

21CR61216  
SI  
Secret Indictment  
14676006



The said Defendant(s), **MILES DOUGLAS FURROW, TUSITALA JOHN TOESE, and JUSTIN MICHAEL GLIDDEN**, on or about August 22, 2021, in the County of Multnomah, State of Oregon, did unlawfully and intentionally and knowingly cause physical injury to **MARK NUNZIATA**, by means of a dangerous weapon, contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon.

This count is connected together by two or more acts or transactions with the other counts of this charging instrument. This count is of the same and similar character as the conduct alleged in the other counts of this charging instrument. This count constitutes part of a common scheme or plan based on two or more acts or transactions with the other counts of this charging instrument.

#### **COUNT 4**

##### **ASSAULT IN THE SECOND DEGREE**

The said Defendant(s), **MILES DOUGLAS FURROW, TUSITALA JOHN TOESE, and JUSTIN MICHAEL GLIDDEN**, on or about August 22, 2021, in the County of Multnomah, State of Oregon, did unlawfully and intentionally and knowingly cause physical injury to **MARK NUNZIATA**, by means of a dangerous weapon, contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon.

This count is connected together by two or more acts or transactions with the other counts of this charging instrument. This count is of the same and similar character as the conduct alleged in the other counts of this charging instrument. This count constitutes part of a common scheme or plan based on two or more acts or transactions with the other counts of this charging instrument.

#### **COUNT 5**

##### **ASSAULT IN THE THIRD DEGREE**

The said Defendant(s), **MILES DOUGLAS FURROW, TUSITALA JOHN TOESE, and JUSTIN MICHAEL GLIDDEN**, on or about August 22, 2021, in the County of Multnomah, State of Oregon, did unlawfully and intentionally and knowingly, while being aided by another person actually present, cause physical injury to **MARK NUNZIATA**, contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon,

This count is connected together by two or more acts or transactions with the other counts of this charging instrument. This count is of the same and similar character as the conduct alleged in the other counts of this charging instrument. This count constitutes part of a common scheme or plan based on two or more acts or transactions with the other counts of this charging instrument.

#### **COUNT 6**

##### **UNLAWFUL USE OF A WEAPON**

The said Defendant(s), **MILES DOUGLAS FURROW, TUSITALA JOHN TOESE, and JUSTIN MICHAEL GLIDDEN**, on or about August 22, 2021, in the County of Multnomah, State of Oregon, did unlawfully and intentionally attempt to use, carry with intent to use and possess with intent to use unlawfully against another person, a dangerous weapon, contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon,

This count is connected together by two or more acts or transactions with the other counts of this charging instrument. This count is of the same and similar character as the conduct alleged in the other counts of this charging instrument. This count constitutes part of a common scheme or plan based on two or more acts or transactions with the other counts of this charging instrument.

#### **COUNT 7**

##### **UNLAWFUL USE OF A WEAPON**

The said Defendant(s), **TUSITALA JOHN TOESE and JUSTIN MICHAEL GLIDDEN**, on or about August 22, 2021, in the County of Multnomah, State of Oregon, did unlawfully and intentionally attempt to use, carry with intent to use and possess with intent to use unlawfully against another person, a weapon, contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon,

This count is connected together by two or more acts or transactions with the other counts of this charging instrument. This count is of the same and similar character as the conduct alleged in the other counts of this charging instrument. This count constitutes part of a common scheme or plan based on two or more acts or transactions with the other counts of this charging instrument.

#### **COUNT 8**

##### **RIOT**

The said Defendant(s), **JUSTIN MICHAEL GLIDDEN**, on or about August 22, 2021, in the County of Multnomah, State of Oregon, did unlawfully and knowingly, while participating with 5 or more other persons, engage in tumultuous and violent conduct, thereby intentionally and recklessly creating a grave risk of causing public alarm, contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon,

This count is connected together by two or more acts or transactions with the other counts of this charging instrument. This count is of the same and similar character as the conduct alleged in the other counts of this charging instrument. This count constitutes part of a common scheme or plan based on two or more acts or transactions with the other counts of this charging instrument.

**COUNT 9**  
**RIOT**

The said Defendant(s), **MILES DOUGLAS FURROW, TUSITALA JOHN TOESE, and JUSTIN MICHAEL GLIDDEN**, on or about August 22, 2021, in the County of Multnomah, State of Oregon, did unlawfully and knowingly, while participating with 5 or more other persons, engage in tumultuous and violent conduct, thereby intentionally and recklessly creating a grave risk of causing public alarm, contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon,

This count is connected together by two or more acts or transactions with the other counts of this charging instrument. This count is of the same and similar character as the conduct alleged in the other counts of this charging instrument. This count constitutes part of a common scheme or plan based on two or more acts or transactions with the other counts of this charging instrument.

**COUNT 10**  
**RIOT**

The said Defendant(s), **TUSITALA JOHN TOESE and JUSTIN MICHAEL GLIDDEN**, on or about August 22, 2021, in the County of Multnomah, State of Oregon, did unlawfully and knowingly, while participating with 5 or more other persons, engage in tumultuous and violent conduct, intentionally and recklessly creating a grave risk of causing public alarm, contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon,

This count is connected together by two or more acts or transactions with the other counts of this charging instrument. This count is of the same and similar character as the conduct alleged in the other counts of this charging instrument. This count constitutes part of a common scheme or plan based on two or more acts or transactions with the other counts of this charging instrument.

**COUNT 11**  
**CRIMINAL MISCHIEF IN THE FIRST DEGREE**

The said Defendant(s), **TUSITALA JOHN TOESE and JUSTIN MICHAEL GLIDDEN**, on or about August 22, 2021, in the County of Multnomah, State of Oregon, did unlawfully and with intent to damage property, damage and destroy property, in an amount exceeding one thousand dollars, the property of another, said defendant(s) having no right to do so nor reasonable ground to believe that defendant(s) had such right, 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 the value of the property destroyed was \$1,000 or more.

This count is connected together by two or more acts or transactions with the other counts of this charging instrument. This count is of the same and similar character as the conduct alleged in the other counts of this charging instrument. This count constitutes part of a common scheme or plan based on two or more acts or transactions with the other counts of this charging instrument.

**COUNT 12**  
**CRIMINAL MISCHIEF IN THE FIRST DEGREE**

The said Defendant(s), TUSITALA JOHN TOESE and JUSTIN MICHAEL GLIDDEN, on or about August 22, 2021, in the County of Multnomah, State of Oregon, did unlawfully and with intent to damage property, damage and destroy property, in an amount exceeding one thousand dollars, the property of another, said defendant(s) having no right to do so nor reasonable ground to believe that defendant(s) had such right, 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 the value of the property destroyed was \$1,000 or more.

This count is connected together by two or more acts or transactions with the other counts of this charging instrument. This count is of the same and similar character as the conduct alleged in the other counts of this charging instrument. This count constitutes part of a common scheme or plan based on two or more acts or transactions with the other counts of this charging instrument.

### COUNT 13

#### **CRIMINAL MISCHIEF IN THE FIRST DEGREE**

The said Defendant(s), JUSTIN MICHAEL GLIDDEN, on or about August 22, 2021, in the County of Multnomah, State of Oregon, did unlawfully and with intent to damage property, damage and destroy property, in an amount exceeding one thousand dollars, the property of another, said defendant(s) having no right to do so nor reasonable ground to believe that defendant(s) had such right, 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 the value of the property destroyed was \$1,000 or more.

This count is connected together by two or more acts or transactions with the other counts of this charging instrument. This count is of the same and similar character as the conduct alleged in the other counts of this charging instrument. This count constitutes part of a common scheme or plan based on two or more acts or transactions with the other counts of this charging instrument.

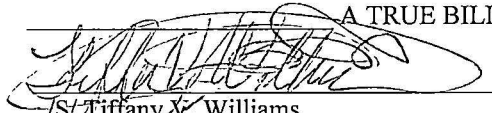
Dated at Portland, Oregon, in the county aforesaid, on DECEMBER 16, 2021.

#### Witnesses

Examined Before the Grand Jury  
in person (unless noted)

Joseph M Cox  
 Matthew Jacobsen  
 Zachary Danko (By Simultaneous  
 Television Transmission)  
 Mark Nunziata (By Simultaneous  
 Television Transmission)

Grand Jury Proceedings on:  
 December 8, 2021

A TRUE BILL  
  
 /s/ Tiffany Williams  
 Foreperson of the Grand Jury

MIKE SCHMIDT (084679)  
 District Attorney  
 Multnomah County, Oregon

By  Deputy

Security Amount (Def - FURROW) \$250,000 + \$5,000 + \$250,000 + \$250,000 + \$5,000 + \$5,000 + \$5,000  
 (Def - TOESE) \$250,000 + \$5,000 + \$250,000 + \$250,000 + \$5,000 + \$5,000 + \$5,000 + \$5,000 +  
 \$5,000 + \$5,000 + \$5,000  
 (Def - GLIDDEN) \$250,000 + \$5,000 + \$250,000 + \$250,000 + \$5,000 + \$5,000 + \$5,000 +  
 \$5,000 + \$5,000 + \$5,000 + \$5,000 + \$5,000 + \$5,000

#### 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 NATHAN T VASQUEZ OSB 014437 /lj

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