

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF KLAMATH

STATE OF OREGON
Plaintiff,

v.

FRANK SKRAH,
Defendant.

Case No.

SECRET INDICTMENT

The above-named defendant is accused by Klamath County Grand Jury by this indictment of the following offenses:

COUNT 1
HARASSMENT
(ORS 166.065)
Class B Misdemeanor

The defendant, on or about February 16, 2013, in Klamath County, Oregon, did unlawfully and intentionally harass or annoy another person (to wit: Mr. James Johnson), by subjecting James Johnson to offensive physical contact (to wit: holding a flashlight against his throat); said act of the defendant 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 the defendant was a public officer, that the offense was based on the defendant's misconduct in office, and that the defendant remained a public officer as of 9/11/2015.

COUNT 2
HARASSMENT
(ORS 166.065)
Class B Misdemeanor

The defendant, on or about January 14, 2014, in Klamath County, Oregon, did unlawfully and intentionally harass or annoy another person (to wit: Mr. Jason Charles), by subjecting Jason Charles to offensive physical contact (to wit: striking him); said act of the defendant being contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon.

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COUNT 3
ATTEMPTED ASSAULT IN THE FOURTH DEGREE
(ORS 163.160/161.405)
Class B Misdemeanor

The defendant, on or about January 14, 2014, in Klamath County, Oregon, did unlawfully and intentionally attempt to cause physical injury to another (to wit: Mr. Jason Charles); said act of the defendant being contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon.

COUNT 4
OFFICIAL MISCONDUCT IN THE FIRST DEGREE
(ORS 162.415)
Class A Misdemeanor

The defendant, a public servant, on or about January 14, 2014, in Klamath County, Oregon, did unlawfully with intent to harm another (to wit: Mr. Jason Charles), knowingly perform an act (to wit: striking Jason Charles) constituting an unauthorized exercise in official duties; said act of the defendant being contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon.

COUNT 5
OFFICIAL MISCONDUCT IN THE FIRST DEGREE
(ORS 162.415)
Class A Misdemeanor

The defendant, a public servant, on or about July 13, 2014, in Klamath County, Oregon, did unlawfully with intent to obtain a benefit, knowingly fail to perform a duty imposed upon the public servant by law or one clearly inherent in the nature of the office (to wit: notifying and compensating homeowners for property damage caused by a Sheriff's deputy in the course of the Sheriff's deputy's duties); said act of the defendant being contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon.

COUNT 6
HARASSMENT
(ORS 166.065)
Class B Misdemeanor

The defendant, on or about February 27, 2015, in Klamath County, Oregon, did unlawfully and intentionally harass or annoy another person (to wit: Mr. Kenneth Bragg), by subjecting Kenneth Bragg to offensive physical contact (to wit: putting his hands on Kenneth Bragg's throat impairing his breathing); said act of the defendant being contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon.

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COUNT 7
ASSAULT IN THE FOURTH DEGREE
(ORS 163.160)
Class A Misdemeanor

The defendant, on or about February 27, 2015, in Klamath County, Oregon, did unlawfully and intentionally cause physical injury (to wit: impairment of breathing) to another (to wit: Mr. Kenneth Bragg); said act of the defendant being contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon.

COUNT 8
STRANGULATION
(ORS 163.187)
Class A Misdemeanor

The defendant, on or about February 27, 2015, in Klamath County, Oregon, did unlawfully and knowingly impede the normal breathing or circulation of the blood of another person (to wit: Mr. Kenneth Bragg) by applying pressure to the throat or neck of Kenneth Bragg; said act of the defendant being contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon.

COUNT 9
OFFICIAL MISCONDUCT IN THE FIRST DEGREE
(ORS 162.415)
Class A Misdemeanor

The defendant, a public servant, on or about February 27, 2015, in Klamath County, Oregon, did unlawfully with intent to harm another (to wit: Mr. Kenneth Bragg), knowingly perform an act (to wit: putting his hands on Mr. Bragg's throat) constituting an unauthorized exercise in official duties; said act of the defendant being contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon.

DATED this 10 day of Sept, 2015

This indictment returned "YES" - A TRUE BILL
Or "NO" - NOT A TRUE BILL

Fred Smith
Foreperson of the Grand Jury

Witness subpoenaed and examined before the Grand Jury:

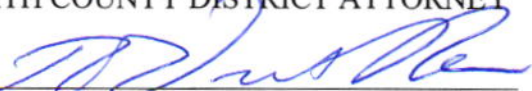
Special Agent in Charge David Kirby
Deputy Jason Weber
Deputy Jesse Ginestar
Deputy Westley Packer
Kenneth Bragg

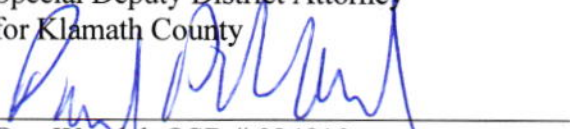
Deputy Ruben Jenkins
David Houston
Deputy Sondra Hamilton
Sgt. Ryan Huntsman
OSP Trooper Peter Anderson
OSP Trooper Tyson Cult
Deputy Lon Parton
Deputy Steve Leslie
Corporal Daren Krag
James Johnson
Deputy Ryan Kaber
Dennis Linthicum

Witnesses who filed a certified report with the Grand Jury: None

Witness who testified by video: Kenneth Bragg

ROBERT W. PATRIDGE
KLAMATH COUNTY DISTRICT ATTORNEY

BY: 
Victoria Roe, OSB #930336
Sr. Assistant Attorney General and
Special Deputy District Attorney
for Klamath County

BY 
Dan Wendel, OSB # 024810
Sr. Assistant Attorney General and
Special Deputy District Attorney
for Klamath County

IDENTIFIERS: W/M Ht: Wt: Hair: Eyes: DOB:

By this pleading, we are requesting that you provide the State with the following information within your possession or control: (ORS 135.835)

1. The names and addresses and dates of birth of all persons including the defendant, who you intend to call as witnesses at the trial, any oral statements of such persons other than the defendant;
2. Any reports or statements of experts made in connection with the particular case, including results of physical or mental examination and of scientific tests, experiments or comparisons, which the defendant intends to offer in evidence at the trial;
3. Any books, papers, documents, photographs, or tangible objects which the defendant intends to offer in evidence at the trial.

Please make the above information available at least 10 days prior to trial.

Regarding your discovery:

A. If your defendant is charged with DUII (with an intoxilyzer) or DWS, we will introduce documents relative to the intoxilyzer or the suspension notice. You can examine these documents by personally appearing and requesting examination at our office with 24 hours prior notification.

B. Our case file is open to your personal inspection at all reasonable times, with 24 hour notification. It contains the relevant discovery information and a list of names and addresses of witnesses. If the case is a traffic crime or infraction, the State intends to call, among others, the officer who signed the citation.

C. Police officers listed as witnesses may maintain a personal notebook which might contain additional information which is not in our files. You can inspect these notes by contacting the officer at the police office.

D. If for any reason you desire further information not available through this receipt, you should request the court to supervise the discovery proceeding as provided in ORS 135.845

E. If you have a case where audio/video disc or digital photographs have been made and you want a copy of them, please request that the discovery secretary order a copy for you. Please make your request at least 10 days prior to trial.

INDICTMENT INFORMATION SHEET

The below listed individual has been indicted by the Klamath County Grand Jury. Please take any appropriate action necessary to facilitate the smooth transition of this case on towards its conclusion.

DATE INDICT. FILED: _____

DEFENDANT: **FRANK SKRAH**

CHARGES:

- Count 1: HARASSMENT (B MISDEMEANOR; ORS 166.065)
- Count 2: HARASSMENT (B MISDEMEANOR; ORS 166.065)
- Count 3: ATTEMPTED ASSAULT IN THE FOURTH DEGREE (B MISDEMEANOR; ORS
 163.160/161.405)
- Count 4: OFFICIAL MISCONDUCT IN THE FIRST DEGREE (A MISDEMEANOR; ORS 162.415)
- Count 5: OFFICIAL MISCONDUCT IN THE FIRST DEGREE (A MISDEMEANOR; ORS 162.415)
- Count 6: HARASSMENT (B MISDEMEANOR; ORS 166.065)
- Count 7: ASSAULT IN THE FOURTH DEGREE (A MISDEMEANOR; ORS 163.160)
- Count 8: STRANGULATION (A MISDEMEANOR; ORS 163.187)
- Count 9: OFFICIAL MISCONDUCT IN THE FIRST DEGREE (A MISDEMEANOR; ORS 162.415)

COURT CASE #:

DA CASE #:

AGY CASE#:

DEFENSE ATTORNEY:

APPEARANCE DATE: _____

ASSIGNED DA: Special Prosecutors ROE and WENDEL

HAS THIS CASE BEEN FILED? YES NO

IS A WARRANT REQUESTED? YES NO

SPECIAL INSTRUCTIONS REGARDING THE WARRANT:

SECRET INDICTMENT: YES NO

OREGON ONLY WESTERN STATES

NATIONWIDE