



DEPARTMENT OF JUSTICE

1162 Court Street NE
Justice Building
Salem, Oregon 97301-4096
Telephone: (503) 378-4400
TTY: (503) 378-5938
May 19, 2008

✓
Sheriff David Rouse
Wheeler Co Sheriff
701 Adams St., Rm 202
Fossil, OR 97830

Thomas Cutsforth
Wheeler County District Attorney
P.O. Box 446
Fossil, Oregon 97830

Dear Sheriff Rouse and District Attorney Cutsforth:

ORS 181.781 to 181.799 codify SB 111 (2007). You submitted for the Attorney General's consideration a deadly force plan created by the Douglas County Deadly Force Planning Authority. ORS 181.783 (10) provides in pertinent part:

*** the Attorney General shall review the plan for compliance with the minimum requirements described in ORS 181.786. If the Attorney General determines that the plan complies with the minimum requirements, the Attorney General shall approve the plan.***

The Attorney General is not empowered by law to substitute the Attorney General's judgment for that of the Planning Authority as to any element of the plan. Our review is limited to determining whether your plan complies with the minimum requirements described in ORS 181.786.

I regret the delay in responding to your submission. We have reviewed your submission. With one exception, the plan complies with the minimum requirements described in ORS 181.786. The plan as submitted did not have attached to it copies of the deadly force policies of each law enforcement agency in Wheeler County. This omission is easily cured. Simply send us copies of the plans and we will append them to the submitted plan. The Attorney General therefore approves of Wheeler County's deadly force plan, effective on the date that we receive copies of the policies. Thank you for completing this important plan.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter D. Shepherd", is written over the word "Sincerely,".

PETER D. SHEPHERD
Deputy Attorney General

DM296642
cc: Members, Planning Authority

