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FOR IMMEDIATE RELEASE
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Scott Wayne Smith convicted of threatening to kill gay man living in southwest Portland

Today, Multnomah County District Attorney Rod Underhill announced that 47-year-old Scott Wayne Smith was convicted of one count of intimidation in the second degree, which is one of Oregon's bias crimes statutes.

Smith's trial was scheduled to start on April 2, 2019, but after the defense made a legal challenge to the charging document that failed, and before a jury was selected, Smith informed the court that he wanted to change his plea.

The court accepted the change of plea and sentenced Smith to 24 months of formal probation with court-imposed conditions that include: all general conditions of probation, 21 days of jail with credit for time served, no contact with the victim or the apartment complex where the crime was committed, 40 hours of alternative community service, prepare an apology letter to the victim and the residents of apartment complex, and if order by his probation officer: GPS monitoring, drug and alcohol evaluations and treatment and anger management classes. Smith has the ability to request early termination of probation, as is allowed under Oregon law.

This investigation started on August 13, 2018 when the Portland Police Bureau responded to a residence in southwest Portland after learning that threats had been made towards people living at the location.

During the investigation, police learned that two men were sitting outside the residence when a neighbor, Smith, approached. Smith reportedly asked for a cigarette. When the men did not respond, Smith started using homophobic language and threatened to kill the men.

The victim's residence is part of a treatment community that involves many individuals who have been diagnosed with HIV or AIDS. Many of those, but not all, living in this community are gay.

Law enforcement learned that Smith had previously threatened to bomb the building to kill "all you people," a reference to the men living at the apartment complex.

"Everyone deserves the right to feel safe in our community. Scott Smith took that right, and the sense of security, away from the victim as well as the other residences living at this particular apartment complex. We believe this is an appropriate resolution that holds Mr. Smith accountable for specifically targeting the victim based on his sexual orientation, which is a protected class in Oregon," said Multnomah County District Attorney Melissa Marrero, who prosecuted this case.

It is the policy and practice of the District Attorney's Office to inform all crime victims of any pretrial negotiations. The victim in this case was updated throughout the pendency of this case and is supportive of the pretrial resolution.

The Multnomah County District Attorney's Office is represented on the Oregon Attorney General's Hate Crimes task force to study hate-motivated crimes and strengthen Oregon's laws.

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