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June 11, 2020

Two separate bias crime cases filed in Multnomah County Circuit Court

Today, Multnomah County District Attorney Rod Underhill announced the filing of two separate bias crime cases involving TriMet employees being attacked due to the perception of their race and the color of their skin.

State v. Charles Eugene Bernbeck (C# 20CR16835)

On June 10, 2020, a Multnomah County grand jury charged Bernbeck with one count of bias crime in the second degree, one count of harassment and two counts of interfering with public transportation.

The victim is African American, and is employed as a TriMet operator.

According to court documents, on March 16, the driver ended his bus route in downtown Portland, and announced that all passengers needed to exit the bus. Bernbeck, a white male, attempted to exit but the rear door was locked. Bernbeck moved to the front of the bus and tried opening the door but did so in the wrong direction. The bus operator unlocked the rear exit and told Bernbeck to depart using the back door.

Bernbeck then turned toward the victim and spit a large volume of saliva in the victim's face, according to court documents. The victim reported some of Bernbeck's saliva partially entered his mouth.

As Bernbeck walked toward the rear of the bus, he started using racial hate speech toward the victim, according to court documents.

When the victim attempted to exit the bus, Bernbeck headed directly toward the victim and "postured as if he was going to spit in the victim's face again," according to court documents.

Bernbeck is currently in custody at the Oregon State Correctional Institution on an unrelated matter.

State v. Thomas David Delong (C# 20CR28822)

On June 10, 2020, a Multnomah County grand jury charged Delong with one count of bias crime in the first degree, one count of menacing and one count of disorderly conduct in the second degree.

The victim is African American, and is employed as a TriMet supervisor.

According to court documents, on May 26, 2020, the victim received information about a TriMet bus operator needing assistance at the Barbur Transit Center. The victim responded in his official capacity as a TriMet supervisor and saw a TriMet bus leaving the area with a person, later identified as Delong, hitting the side of the bus.

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Delong, a white male, started screaming and running toward the victim using racial hate speech, according to court documents.

The victim reported Delong clenched both of his hands into fists and started swinging them in a windmill form as he approached, according to court documents.

The victim said he was extremely fearful that Delong would cause serious physical injury so he raised his hands above his head with his palms facing Delong and pleaded for him to stop, according to court documents.

Delong refused to stop so the victim ran away, but was chased. Eventually, the victim got inside his car, locked the doors and called police.

Delong is not in custody. There is an active arrest warrant filed with the court.

Like in all criminal and civil matters, electronic copies of court documents, which are not subject to a protective order, are available to the public through the Oregon eCourt Information (OECI) system.

No additional information can be released by the Multnomah County District Attorney's Office at this time pursuant to the Oregon Rules of Professional Conduct.

A charging document is only an accusation of a crime. Bernbeck and Delong are innocent unless and until proven guilty.

The Multnomah County District Attorney's Office was an active participant of the Oregon Attorney General's Hate Crimes Task Force and helped draft the language that was in Senate Bill 577. The law, which went into effect on July 15, 2019, renamed the crime of "intimidation" to "bias crime," added gender identity to the list of protected categories and removed the requirement that two or more people commit the crime in order to make it a felony in certain circumstances.

All potential bias crime cases, whether they are a felony or misdemeanor, are reviewed by the Violent Crimes Unit within the Multnomah County District Attorney's Office. If a misdemeanor crime is issued, the felony-level attorney will retain the case.

If you are the victim of a bias crime assault or you are witnessing one, immediately call 9-1-1. If you are the victim of a bias crime and the suspect is no longer present or if you have information about a bias crime committed in the past, call the non-emergency line at 503-823-3333.

COVID-19 Notice

The health and well-being of all employees and community members we serve is a top priority for the Multnomah County District Attorney. Our office is working with the court, defense bar, local law enforcement and other system partners to carefully balance the needs of public health and public safety.

For information about the operational changes implemented by the District Attorney's Office in response to the novel coronavirus, please [click here](#).

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