



**Rod Underhill, District Attorney**  
**1021 SW Fourth Avenue, Room 600**  
**Portland, OR 97204-1193**  
**Phone: 503-988-3162 Fax: 503-988-3643**  
**www.mcda.us**

September 16, 2019

**Nathan Scates convicted of assault, sentenced to prison for racially-motivated crime**

Today, Multnomah County District Attorney Rod Underhill announced that 38-year-old Nathan Scates, a private security guard who assaulted one person and pepper sprayed two others during a racially-motivated incident, pleaded guilty and received an 86 month prison sentence.

“The racial animus Nathan Scates displayed during this particular incident was horrible,” said Multnomah County Deputy District Attorney Melissa Marrero, who litigated this case. “These types of crimes can have an enormous impact on a victim, that person’s family and friends and our entire community. We are fortunate that the Oregon legislature recognizes the seriousness of these crimes and allows the state to prosecute conduct and behavior that is motivated by prejudice when it is directed towards one or several other protected classes.”

This investigation started on August 10, 2018 when Portland Police responded to a disturbance in the 1500 block of Southwest Harbor Way in Portland, Oregon. During the investigation, according to court documents, Scates, while wearing his security guard uniform, approached a family and started calling them “terrorists” and told them “to go back to your country” because they were wearing hijabs. The family was on a public dock when Scates – having no legal right to do so - confronted them, and began using hate speech.

Police spoke with two individuals who confirmed seeing the racially-motivated incident on the family. The witnesses told police that Scates then directed his attention on them when they attempted to intervene and that he started yelling racial slurs at them based on his perception of their race.

One of the witnesses took out a phone to record the incident. According to court documents, Scates pulled a collapsible baton from his duty belt and hit the witness in the hand while continuing to use homophobic and xenophobic hate speech. While the assault victim separated from Scates, he hit her in the hand for a second time, which caused her phone to fall into the Willamette River. As a result of the assault, she suffered a broken hand.

While off the dock and near a gate to a condominium complex, court documents state that Scates pulled out mace and used it unlawfully on two other individuals, neither of whom had any prior interaction with Scates and who had just come across the altercation as they were walking and as Scates fled the crime scene.

On Monday, Scates pleaded guilty to one count of attempted assault in the second degree, one count of felony assault in the fourth degree and two counts of intimidation in the second degree.

By pleading guilty, Scates admitted that he unlawfully and intentionally attempted to cause physical injury by using a dangerous weapon; that he unlawfully and recklessly caused physical injury while in the presence of a minor child; that he unlawfully and knowingly, because of his perception of the race and national origin of the crime victim, subjected her to offensive physical contact; that he unlawfully and knowingly, with intent, because of his perception of the crime victim’s religion, caused substantial inconvenience by interfering with her right to be in a public location.

The minor child was a family member of Scates.

Upon his release, Scates will be on 34 months of post-prison supervision.

[CONTINUED ON PAGE TWO]

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 new 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 bias crimes case is issued, the felony-level attorney will retain the case.

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

This case was issued and litigated before July 25, 2019, which is when Oregon's new bias crime law went into effect. As a result, the crimes Scates was convicted of should be referred to as "intimidation in the second degree."

The Multnomah County District Attorney's Office recognizes Portland Police Bureau Detective Jeff Sharp for his dedicated efforts investigating this matter.

#MCDA#

Contact: Brent Weisberg, Communications Director  
Multnomah County District Attorney's Office  
Phone: 503.988.6567 | Email: [Brent.Weisberg@mcdca.us](mailto:Brent.Weisberg@mcdca.us)