



**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**

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**Kelly Wade Roberts receives a year and a half jail sentence following a bias crime in SW Portland**

Today, Multnomah County District Attorney Rod Underhill announced that 36-year-old Kelly Wade Roberts changed his plea and received a year and a half jail sentence following a bias crime that occurred in downtown Portland last fall.

Roberts pleaded guilty and was convicted of one count of intimidation in the second degree and one count of criminal mischief in the second degree.

Roberts' jail time will be served in the custody of the Federal Bureau of Prisons and will run concurrently to a sentence he previously received in U.S. District Court.

"This was an incident that had an extraordinary, terrifying and lasting impact on the victim's life," said Multnomah County Deputy District Attorney Nicole Hermann, who litigated this case. "She was just eating her pita inside a restaurant when Mr. Roberts, an employee, blasted her with hate speech for no reason. His vitriol and aggression shocked the victim and she is still living with the emotional repercussions of this event."

This investigation started on October 1, 2018 when Portland State University Campus Public Safety responded to the 1800 block of Southwest 5<sup>th</sup> Avenue in Portland, Oregon on reports of a verbal disturbance.

When police arrived, they contacted the woman who was visibly shaken. Officers learned that while the victim, who is black, was eating her dinner, Roberts started yelling hateful, racist, and misogynistic words towards her.

The victim stood up and told Roberts that she did not like his derogatory language and asked him to stop. Upon doing so, Roberts picked up a metal chair, which weighed about five pounds, and raised it over his head. The victim told police that she feared for her life because she believed Roberts was about to physically attack her.

Police arrested Roberts on scene and lodged him into the Multnomah County Detention Center.

The victim attended Thursday's change of plea and sentencing hearing.

Through the Multnomah County District Attorney's Office, she informed the court that she supports the change of plea. She hopes Roberts will reflect on his actions while in custody and recognize the impact they had on her. She also hopes Roberts can identify the root cause of his behavior and to seek treatment to prevent it from ever occurring again.

When determining its sentencing recommendation, the Multnomah County District Attorney's Office considered the victim's desire to seek a significant amount of incarceration, Roberts' criminal history and the amount of harm done to the victim during this incident.

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.

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 Roberts was convicted of should be referred to as "intimidation in the second degree."

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 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.

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