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Upon discovery of exculpatory evidence, state releases man held in custody, dismisses criminal case

On September 17, 2019, the Multnomah County District Attorney's Office sought and was granted court authorization to seek the release of 58-year-old George Brotherton.

Mr. Brotherton was in custody on an indictment charging him with three counts of sexual abuse in the first degree, two counts of coercion, three counts of unlawful use of a weapon, two counts of unlawful sexual penetration in the first degree, one count of assault in the second degree and one count of attempted assault in the second degree.

The decision to seek Mr. Brotherton's immediate release was made in consultation with Mr. Brotherton's defense attorney after the Portland Police Bureau informed the Multnomah County District Attorney's Office that it had discovered new and potentially exculpatory material in this case.

Upon Mr. Brotherton's release, the Multnomah County District Attorney's Office and Portland Police Bureau urgently conducted investigative follow up and sought additional help from the Oregon State Police Crime Lab.

While on release, Brotherton's criminal case remained active while the Portland Police Bureau and the Oregon State Police conducted the investigative follow-up. The court placed Mr. Brotherton on GPS monitoring and put him on a curfew from 9 p.m. until 7 a.m. and ordered that he not have possession of any weapons.

The forensic analysis conducted by the Oregon State Police cleared Mr. Brotherton of wrongdoing.

On November 7, 2019, the Multnomah County District Attorney's Office informed the court that it could no longer proceed on Brotherton's case, which was filed on August 21, 2019.

In its dismissal order, the state informed court that the ends of justice will be best served by the dismissal of this matter.

The court's dismissal order was filed with the court on November 13, 2019.

At every step of this process, the state provided frequent updates to Mr. Brotherton's criminal defense attorney and the victims.

The Multnomah County District Attorney's Office and the Portland Police Bureau continues to seek to identify the person responsible for these attacks. The first attack happened on July 5, 2019 and was reported that day by an adult female who said an unknown male sexually assaulted her while she walking to work. The second attack happened on July 25, 2019 and was reported on July 29, 2019 by an adult female who said she was walking at night when an unknown male came up behind her and sexually abused her. The third attack happened on July 26, 2019 and was reported that day by an adult female who said she was sleeping on the street when an unknown male sexually abused her. In all of these attacks, the suspect used a knife to threaten the victims.

Police reports and other documents maintained by law enforcement and the District Attorney's Office in this case are currently exempt from disclosure due to the continuing investigation.

The Multnomah County District Attorney's Office is unable to provide any additional details about this case and has no additional details to provide.

The victims in this case are requesting privacy and do not want media contact. The Multnomah County District Attorney's Office requests media refrain from attempting to or actually contacting them.

Anyone with information on this case is asked to call Portland Police Bureau Detective Ross Dormady at 503-823-0880.

#MCDA#

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