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**Tusitala Toese convicted of assault, barred from attending mass demonstrations while on probation**

Today, Multnomah County District Attorney Rod Underhill announced that 23-year-old Tusitala Toese pleaded guilty and received a probation sentence, which includes a specific court order that while on probation, he not participate in any mass demonstration, march or protest within Multnomah County after he assaulted a man in northeast Portland in summer 2018.

During the pendency of this case, the Multnomah County District Attorney's Office communicated frequently with the victim to keep him updated. The victim was fully informed about all pretrial negotiations. Prior to the change of plea hearing and sentencing, the victim communicated to our office his full support of the pretrial agreement. During his impact statement to the court, the victim said he preferred Toese avoid any jail time.

Multnomah County Circuit Court Judge Kathleen M. Dailey accepted Toese's change of plea and convicted him of one count of assault in the fourth degree.

<b>Court imposed sentence in State v. Toese:</b>
• Two years of formal, supervised probation;
• Comply with all conditions of probation as outlined in ORS 137.540;
• Perform 80 hours of community service;
• Have no contact with the victim;
• Not attend, or participate in, any march, mass demonstration or protest in Multnomah County while on probation;
• Pay \$1,821.60 in restitution to the victim.

"In this case, Mr. Toese's actions were directly related to an ongoing conflict with members of an opposing political group in Multnomah County. The victim is a member of that opposing group and regularly attended mass demonstrations," said Multnomah County Senior Deputy District Attorney Nathan Vasquez, who prosecuted this case. "The court imposed condition that bars Mr. Toese from attending mass demonstrations in our county is appropriate given all of the facts of this case. As part of his probation, Mr. Toese must obey all laws. Failing to do so could result in additional sanction."

This investigation started on July 12, 2018 when the victim reported to police that on June 8, 2018 he was assaulted at the intersection of Northeast 12th Avenue and Northeast Broadway Street in Portland, Oregon.

The victim told police that as he crossed south on Northeast 12th Avenue, he saw a truck stopped at the red light. The vehicle was headed west on Northeast Broadway Street.

The victim told police that the passengers shouted politically-based comments toward him. The victim told police that he recognized 24-year-old Donovan Flippo and Toese as passengers in the vehicle.

During the investigation, police learned that the victim yelled back. Upon doing so, Flippo and Toese exited the vehicle. There was a brief verbal altercation, which resulted in the victim being physically assaulted.

The victim received multiple stitches to his lip as a result of the injuries. He was also treated for a concussion.

By pleading guilty, Toese is admitting that he unlawfully and recklessly caused physical injury to the victim. If he violates his probation, Toese could be sentenced up to a year in custody.

Flippo previously pleaded guilty to the charge of assault in the fourth degree for the same incident. Additional details about that conviction can be obtained by clicking [here](#).

This case was investigated by the Portland Police Bureau's Assault Detail. The Multnomah County District Attorney's Office recognizes PPB Officer Jason Straub and Detective Michael Greenlee for their dedicated efforts working this investigation.

This case was litigated by the Multnomah County District Attorney's Office Neighborhood and Strategic Prosecution Unit, which reviews cases that stem from neighborhood-specific concerns. The unit is primarily responsible for interfacing with the community over specific issues, and handles all types of cases across the criminal justice spectrum to include misdemeanors and homicides.

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