



Multnomah County judge takes Cascade Locks man to task for waterfront shooting

Published: Friday, November 19, 2010, 5:55 PM Updated: Friday, November 19, 2010, 6:51 PM



Aimee Green, The Oregonian



[View full size](#)

MCSO

James Ellis Koch

A Multnomah County judge had choice words for a Cascade Locks-area man who repeatedly fired a shotgun and a rifle in an attempt to ward off four fishermen who'd anchored near his waterfront property.

Judge Janice Wilson told 68-year-old James Ellis Koch she didn't believe his testimony during a trial earlier this month, she didn't think he was sorry, and that he possibly has anger and alcohol problems that need to be looked into by a probation officer.

Earlier this month, Wilson found Koch guilty of 12 total counts of unlawful use of a weapon, menacing and recklessly endangering others. Friday, she sentenced Koch to three years of probation and 60 days in jail — meaning he will spend Thanksgiving and possibly Christmas locked up, even with time off for good behavior.

The judge also forbid him from drinking alcohol for three years, ordered him to do community service and said his firearms will be destroyed. As a convicted felon, he is not allowed to own guns.

The fishermen — four friends on their annual Columbia River salmon fishing trip — had anchored an estimated 40 feet off Koch's property for a night of camping in their boat on June 25. Koch testified he initially hollered out to the boaters to see whether they were in distress and needed help, but they didn't answer. The boaters said they never heard Koch extend such an offer.

Koch said he wanted the fishermen to go away, so he used a bullhorn to swear at the men, told them they wouldn't get a good night's sleep, shone a spotlight on them and fired a shotgun and a rifle, the latter after pointing the rifle directly at the men as he watched them through its scope.

The men testified they thought they might die as they dove to the floor of the boat.

At Koch's sentencing hearing, prosecutor Traci Anderson read a letter aloud from one of the fishermen, Daniel

Rodriguez. Rodriguez said he bought his \$35,000 boat to live his dream of fishing. "Now the boat sits in my driveway because of the inner fear you created," he wrote.

Another fisherman, James Luckenbach, said he and his fishing buddies have been robbed of their ability to relax and enjoy the Columbia River.

"A statement needs to be made to the whole state that there needs to be consequences for this type of behavior," Luckenbach said.

At the sentencing hearing, his attorney, Tim Vanagas, explained Koch was worried about the men coming onshore and attacking his wife.

"He did wrong that night, there's just no question about it," Vanagas said. "But there was some element at least ...of provocation to justify what happened."

Koch also offered these words: "I'm sorry for whatever happened, the stuff that happened out there that evening."

That prompted this response from the judge.

"(That) is not an apology," she said. "It's actually worse than nothing. It's an anti-apology."

The judge said Koch wasn't justified that night in the slightest. The fishermen weren't making noise, they weren't drinking and they were lawfully camping on the water. The judge said she was concerned about Koch's attitude, as well as the attitudes of his neighbors.

Neighbors testified that they are so wary of strangers and crime that they stop unknown drivers traveling through their remote east county hamlet. Yet on the night Koch fired his weapons, they didn't look to see what was going on because shots in their neighborhood aren't unusual.

"I don't know what that says about that neighborhood ... but it's a little bit scary," the judge said. "... This vigilante culture in this neighborhood is of grave concern to the court."

- **Aimee Green**

© 2010 OregonLive.com. All rights reserved.