



WASHINGTON COUNTY SHERIFF'S OFFICE

**Conserving the Peace Through Values Driven Service
Sheriff Pat Garrett**

PRESS RELEASE

UPDATE: District Attorney Releases Decision Letter Concerning October 2, 2015 Officer Involved Shooting

January 28, 2016—The Washington County District Attorney released the decision letter concerning the October 2, 2015 incident involving Phyllis Jepsen in Aloha.

The review is attached on the following pages.



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January 22, 2015

Sheriff Pat Garrett
Washington County Sheriff
215 SW Adams Avenue
Hillsboro, OR 97123

Re: Officer Involved Shooting (TUP #2015-2714)
Deceased: Phyllis Jepsen

Dear Sheriff Garrett:

Tualatin Detective Kevin Winfield, a member of Washington County's Major Crimes Team, recently delivered to our office his investigation into the death of Phyllis Jepsen.

After reviewing his reports I determined that:

On Friday, October 2, 2015, at 4:54 pm, Crystal Brown called Washington County Dispatch and reported the following:

Phyllis Jepsen, Ms. Brown's mother-in-law, was threatening her with a hunting knife at the Patrician Apartments in Aloha. Ms. Brown secured herself in a locked car and watched Ms. Jepsen repeatedly stab the car windows with the knife. Ms. Jepsen stabbed herself and was attempting to cut her own throat.

At 4:58 pm, deputies in route to the area were notified that law enforcement had been in contact with Ms. Jepsen on September 30, 2015. On September 30, Ms. Jepsen attempted to grab a knife in the presence of Washington County Cpl. Kip Branch and was taken to St. Vincent Hospital on a police officer mental health hold.

At 5:02 pm, Cpl. McCullough, along with Deputies Strange, Talbot, and Humphrey found Ms. Jepsen in a pickup located in the apartment complex parking lot. Deputies noticed that she was bleeding and appeared angry. She repeatedly stabbed at the pickup's interior driver's side window with a hunting knife.

Deputies asked a young girl standing nearby to return to her apartment. They also

placed spike strips behind the pick-up and very quickly formulated a plan. The plan involved Deputy Strange engaging Ms. Jepsen with a less than lethal 40 mm foam baton launcher if Ms. Jepsen exited the car and was noncompliant. Deputy Humphrey reminded Deputy Strange to aim low because of the close distance. Deputies were an estimated 25 to 30 feet away from Ms. Jepsen's vehicle at the time.

At 5:03:10 pm, deputies learned that there was probable cause to arrest Ms. Jepsen for Unlawful Use of a Weapon and Menacing for threatening Crystal Brown with a knife.

Within seconds, Ms. Jepsen exited the pick-up armed with the knife. The knife was clutched in her right hand in an underhand grip. She moved "with a purpose" towards the deputies.

As Ms. Jepsen rapidly closed the distance between the pickup and the deputies, still brandishing the knife, Deputy Strange fired the 40 mm foam baton launcher, striking Ms. Jepsen four times. The impact of a 40 mm foam baton is meant to incapacitate, but had little effect on Ms. Jepsen, who continued towards the deputies. Deputy Humphrey believed Ms. Jepsen intended to seriously injure or kill a deputy or a civilian. Deputy McCullough believed Ms. Jepsen was targeting Deputy Humphrey and intended to kill him.

Deputies Humphrey and McCullough shot Ms. Jepsen as she continued to advance towards them. Ms. Jepsen fell to the ground approximately 10 to 15 feet from the deputies. At 5:03:36 pm, deputies reported "shots fired" to dispatch. Ms. Jepsen was rushed to the emergency room at OHSU but died shortly after arrival.

An autopsy performed by Dr. Cliff Nelson concluded that Ms. Jepsen was shot nine times. Dr. Nelson documented several apparently self-inflicted incisions of the neck, five cuts to the sternal chest, and two stab wounds to the left abdomen. One stab wound was an apparent attempt to remove a surgically implanted medical device. Toxicology showed a blood alcohol level of .229%, along with the presence of marijuana and Quetiapine (an antipsychotic medication).

Detective Winfield's investigation documents a lengthy history of suicidal ideation and suicide attempts.

- Ms. Jepsen's family indicated that she was involuntarily committed to Western State Hospital in Washington sometime between 1995 and 1998. Deputy Medical Examiner Charles Lovato requested (but did not receive) medical records for hospitalizations in Washington.
- Ms. Jepsen was hospitalized in Hood River on May 10, 2004. She had consumed Effexor, Klonopin and alcohol and attempted to grab a police officer's firearm. She stated that she wanted to use the firearm to kill herself. Records from Hood River note suicidal ideation and four previous psychiatric hospitalizations.
- On February 11, 2015, Ms. Jepsen was brought to the St. Vincent Emergency

Room on a police officer mental health hold. She called a crises help line and stated that she wanted to hang herself. Her blood alcohol level was .211 %. She fought with the police and nursing staff, but was soon released.

- On February 12, 2015, Ms. Jepsen returned to the emergency room via ambulance. She reported an argument with her son during which she told her son she didn't want to go on anymore. She drank a fifth of hard liquor and consumed an unknown quantity of pills. At the hospital, she was placed in a 4-point restraint after attempting to assault medical staff.
- On September 30, 2015, Washington County's Mental Health Response Team visited Ms. Jepsen after she called two radio stations and made suicidal statements. Cpl. Kip Branch and a Lifeworks Northwest clinician spoke to Ms. Jepsen in her apartment and noticed a hunting knife near her. When Cpl. Branch secured the knife, Ms. Jepsen tried to grab it. When warned that her actions could get her killed, Ms. Jepsen replied, "that would be better." A second Deputy, Tyler Whitely, arrived and also spoke with Ms. Jepsen. Ms. Jepsen told Deputy Whitely, "sometimes cutting your throat with a knife is the only way." Ms. Jepsen was admitted to St. Vincent emergency room on a police officer hold for suicidal ideation but was released on October 1, 2015.

At the time of the shooting, deputies were not aware of Ms. Jepsen's history of mental illness, and police encounters (other than the September 30th interaction with Cpl. Branch). What they did know was that Ms. Jepsen was aggressive, armed, and noncompliant. She posed a threat to officers and civilians in an apartment complex at a busy time of day, and less than lethal force had virtually no impact on her.

ORS 161.219 details the circumstances under which deadly physical force may be used in defense of a person. Based upon my review of this investigation, I conclude that Deputies Humphrey and McCullough acted under the reasonable belief that Ms. Jepsen was using or about to use "unlawful deadly physical force" against another, and were justified in responding with deadly force against the threat posed by Ms. Jepsen. As there is no suggestion of criminal conduct by the deputies, this matter will not be presented to grand jury.

This letter concludes my review of this matter. All reports will be available to the public and media under Oregon Public Records laws.

Regards,



Bracken McKey
Senior Deputy District Attorney
Washington County District Attorney's Office



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PRESS RELEASE

UPDATE: Aloha Woman Dies After Threatening Deputies with a Knife

October 9, 2015—Additional information released concerning the Aloha shooting.

The deputy-involved shooting last Friday in Aloha remains under investigation by the Washington County Major Crimes Team. The incident at 18000 SW Shaw Street began as a 9-1-1 call from a concerned witness. Upon arrival, Phyllis Jepson threatened the deputies with a knife. After attempting unsuccessfully to subdue Phyllis Jepson with less-than lethal tactics, the deputies responded with lethal force.

The deputies involved in the incident are Dennis Strange with 10 years of service, John McCullough also with 10 years of service and Matt Humphrey with 12 years of service. As is standard procedure, all three remain on paid administrative leave. Full details about the incident will be available after the Washington County District Attorney's investigation is completed.

UPDATE:

Saturday, October 03, 2015— The woman involved in the confrontation with Sheriff's Deputies has been identified as Phyllis Ilene Jepsen, 55, from Aloha. She was pronounced deceased at the hospital and her next of kin have been notified.

No further information is available at this time.

ORIGINAL RELEASE:

Friday, October 02, 2015— Today, at about 5:00 p.m., Sheriff's deputies responded to a call of an attempted suicide in Aloha. Three deputies arrived on scene and were confronted a short time later by a woman with a knife. Deputies fired both less-than lethal and lethal rounds at the suspect. She was later transported to the hospital where she was pronounced deceased.

On Saturday, October 03, 2015, at about 4:54 p.m., Washington County Sheriff's Deputies responded to an attempted suicide call at 18000 SW Shaw Street in the community of Aloha. Three deputies arrived on scene, and shortly after, were confronted by a 55-year-old woman with a knife.

At some point during the confrontation one of the deputies fired less-than lethal rounds at the woman and at least one of the other deputies fired lethal rounds at her. She was struck by at least one lethal round. None of the deputies were injured. Medical personnel

responded and transported the woman to an area hospital where she later died from her injuries.

The Washington County Major Crimes Team is investigating the incident with assistance from the Oregon State Police Crime Lab.

All three deputies have been placed on routine paid administrative leave.

Due to the nature of the investigation, no further information is being released at this time.