



TUALATIN POLICE DEPARTMENT
MEDIA RELEASE



INFORMATION FOR IMMEDIATE RELEASE

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**District Attorney Review Concerning the May 30, 2016 Officer
Involved Shooting**

The Washington County District Attorney released the decision letter concerning the May 30, 2016 incident involving Robert Wickizer in Tualatin.

The review is attached on the following pages.



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November 14, 2016

Sheriff Pat Garrett
Washington County Sheriff
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Chief Jim Monger
Beaverton Police Department
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Beaverton, Oregon 97005

Chief Bill Steele
Tualatin Police Department
8650 SW Tualatin Road
Tualatin, OR 97062

RE: Officer Involved Shooting (TGP #161510725)
Deceased: Robert Wickizer

Tigard Police Detective Kevin Dresser led the Washington County Major Crimes Team's investigation into the shooting death of Robert Wickizer. I have finished my review of the investigation and conclude that the four officers who shot and killed Robert Wickizer were legally justified in doing so. A brief summary of the investigation is outlined below.

At the time of his death, Robert Wickizer was legally married to Kelley Wickizer, but the two had been separated since 2006. Ms. Wickizer resided with her mother, Beverly Smith, at 18115 SW Cheyenne Way in Tualatin. According to Ms. Wickizer, Mr. Wickizer was physically and emotionally abusive throughout their marriage.

Shortly after 4:00 pm on Memorial Day, May 30, 2016, Ms. Wickizer and her mother were relaxing on their patio when Mr. Wickizer entered the back yard, armed with a handgun. Mr. Wickizer pointed the gun at Ms. Wickizer and pulled the trigger, but the gun failed to fire. Ms. Wickizer fled through her house and out the front door, then ran

next door to 18155 SW Cheyenne Way, the home of Denny and Jennifer Tynan. Mr. Wickizer briefly grabbed, then released Ms. Smith as he pursued Ms. Wickizer into her residence. Ms. Smith took this opportunity to also run next door to the Tynan residence.

Mr. Tynan was preparing for a Memorial Day barbeque when he heard screaming. Mr. Tynan walked out onto the second-floor deck and heard his wife say, "call 911, he's got a gun." From his elevated position, Mr. Tynan was able to see into his neighbor's back yard and observed a male adult holding what appeared to be a dark, semi-automatic handgun. Mr. Tynan retrieved his own pistol from his bedroom and began securing doors, while Ms. Tynan called 911. During this time, Ms. Wickizer and Mr. Tynan's visiting sister ran into the residence via the front door. Mr. Tynan took up a defensive position near the brick chimney on the second floor, but opened the front door for Ms. Smith a few minutes later.

Shortly thereafter, Mr. Wickizer began pounding on the front door of the Tynan residence. Mr. Wickizer yelled, "Kelley, you bitch, get out here! You're the only one I want." All of the Tynan family and guests were secure on second floor of the home except their oldest son whose bedroom was in the basement, and who remained cut off from the rest of the family due to the split level layout of the home.

Mr. Wickizer used his gun to break out a window panel in the sidelight next to the front door. When Mr. Wickizer reached inside and attempted to unlock the deadbolt, Mr. Tynan fired a single round into the first floor landing near the front door. At that point Mr. Wickizer left the front porch area.

Ms. Wickizer called 911 at 4:15 pm, and screamed, "He's got a gun!" Jennifer Tynan called 911 at 4:17 pm, and remained on the phone with dispatch for the next 46 minutes. Tualatin police officers responded at 4:20 pm, followed shortly by members of Washington County's Tactical Negotiations Team (TNT).

Officers spent the next 30 minutes engaged with Mr. Wickizer. At times they ordered, bargained, pleaded, and begged with Mr. Wickizer to put down his gun and talk to them. Periodically, Mr. Wickizer placed his gun on a mailbox, but remained within arms' reach of the weapon and refused to speak with TNT members, other than to say, "Today is a good day to die," and "Screw you guys."

During law enforcement's interaction with Mr. Wickizer, he remained near the Tynan residence. At one point, Mr. Wickizer, still armed, entered the open garage. He attempted to gain access to the Tynan home through a locked interior door which connected the garage with the basement bedroom where the Tynan's oldest son was still hiding. Later, Mr. Wickizer walked around to the north side of the Tynan residence and fired a single shot in an unknown direction.

After Mr. Wickizer walked around to the north side of the Tynan residence and fired the round, several members of TNT moved in that direction. Suddenly, Mr. Wickizer reemerged and walked towards the advancing TNT members. Mr. Wickizer ignored repeated commands of, "Stop! Drop the gun." He transferred the handgun from his left hand to his right, and pointed it at the officers.

At that point, Officers Aaron Oberst (TNT/Beaverton Police), Charles Wujcik (TNT/Beaverton Police), Eric French (Tualatin Police), and Sergeant Chris Schweigert (TNT/Washington County Sheriff's Office) simultaneously fired their rifles, hitting Mr. Wickizer 13 times. Oregon State Medical Examiner Dr. Karen Gunson performed an autopsy on May 31, 2016, and concluded the cause of death was gunshot wounds of the neck, chest, and abdomen.

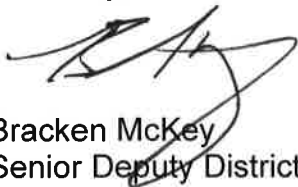
All four officers stated that they believed that Mr. Wickizer was attempting to shoot them or shoot fellow officers at time they fired their weapons. ORS 161.219 details the circumstances under which deadly physical force may be used in defense of a person. Based upon my review of this investigation, I concluded that all four listed officers acted under the reasonable belief that Mr. Wickizer was "using or about to use deadly physical force."

The evidence also supports the conclusion that Mr. Wickizer was intent on killing Ms. Wickizer. Mr. Tynan's quick thinking and actions, saved at least one life. The involved officers acted professionally and did everything within their abilities to achieve a different result.

On July 18, 2016, Kelly Wickizer wrote a note to the involved officers. In it she wrote, "How do you thank someone for saving your life? Words really can't express our gratefulness...There is not a doubt in my mind that if your officers had not been there, Bob would have entered the home and killed me and whoever else got in the way."

As my review of this matter is complete, all reports will be available to the public and media under Oregon Public Records laws.

Sincerely,



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

cc: Detective Kevin Dresser