

Sheriff's Internal Review Clears Deputies in Linville Shooting

by Richard Burton

Deschutes County Sheriff Les Stiles on Monday released the results of an internal review of the officer-involved shooting of Devon Linville on September 15. Earlier, on October 6 District Attorney Michael Dugan announced the Deschutes County Grand Jury determined that the use of deadly physical force was justifiable under Oregon law.

Following is the full text of Sheriff Stiles' comments:

"I would like to take this opportunity to express my condolences to the family and friends of Devon Linville.

"After the most careful consideration I have concluded that adherence to department policy, procedure and training was followed by each Deschutes County deputy involved in this incident.-- Deschutes County Sheriff Les Stiles

I have now completed my review into the circumstances surrounding Devon Linville's death on September 15, 2006. I could not start this review until the District Attorney's Office had concluded their Grand Jury review of the facts and circumstances surrounding the use of deadly force by members of the Sheriff's Office. Their review was concluded on October 6, 2006 and found the use of force by members of the Deschutes County Sheriff's was both lawful and justified under Oregon law.

All internal reviews pertaining to the use of force by members of the Sheriff's Office fall exclusively in the areas relating to determining if the deputies' actions were consistent with policy, procedure and training. After the most careful consideration I have concluded that adherence to department policy, procedure and training was followed by each Deschutes County deputy involved in this incident.

Deadly force was justifiable in the officer-involved shooting death of Devon Linville on Sept. 15. The deputies who fired the fatal shots did so because Mr. Linville put them into a position where they had no choice but to use deadly force to keep from being killed by him. Prior to the employment of deadly force, Mr. Linville was hit by three "less lethal" beanbag rounds in an attempt to disarm him and keep him from closing in on the deputies attempting to arrest him. The use of less lethal force did not stop Mr. Linville. Mr. Linville was quite literally in the arms of one of the deputies as he was attempting repeatedly to stab the deputy with a two-edged knife. Firearms were finally used by the deputies to end the threat.

The internal review clearly documented that deputies used the least force possible at every step until Mr. Linville escalated to the point where deadly force was the only alternative left. From presence to voice commands to use of less lethal, all the steps possible to be taken were taken prior to the use of firearms. No deputy or professional police agency wants to resort to use of lethal force. Our training, policies and procedures clearly try to keep options open and provide alternatives to deadly force. Unfortunately for all the people involved in this incident Mr. Linville made a series of choices and took a number of actions that led to his death.

For the past six years, the Deschutes County Sheriff's Office has focused on training and equipment to reduce risks to both civilians and deputies; that focus will continue. We will also continue to invest resources in the training and equipment necessary to uphold the public's safety and that of our deputies.