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Pat Garrett
Washington County Sheriff
215 SW Adamas Ave
Hillsboro, OR 97123

RE: Jail Death Investigation – Bybee, Bryce (DA no. 409849)

Sheriff Garrett:

Pursuant to ORS 146.090 and 146.095, I instructed the Washington County Major Crimes Team to investigate the above-referenced death that occurred in the Washington County Jail.

Attached to this letter is a memorandum written by Senior Deputy District Attorney John Gerhard summarizing the Major Crimes Team investigation and the legal analysis regarding criminal charges. As noted in the memorandum, there is insufficient evidence to support criminal liability by Washington County Sheriff's Office jail personnel, contracted jail medical staff, and Oregon State Hospital personnel.

Despite these conclusions regarding criminal charges, it should be noted that the investigation uncovered significant concerns related to the process by which in-custody defendants are transported to and received by the state hospital pursuant to ORS 161.365 and 161.370.

For example, it appears the state hospital did not respond to repeated attempts by the jail to arrange for the admission of Mr. Bybee, despite the existence of court orders. While state hospital personnel told investigators the jail staff had not called regarding admission, phone records demonstrate the opposite to be true.

I raise these concerns to highlight ongoing issues regarding the state hospital. While it is impossible to know whether Mr. Bybee would be alive today had the state hospital admitted him as required, it is apparent that the state hospital's actions, and inaction, played a significant role in Mr. Bybee's death.

Given the issues described in the attached memorandum, I suggest that we raise this issue with our Local Public Safety Coordinating Counsel (LPSCC) and that we convene a workgroup to identify whether any safeguards may be implemented to prevent this type of situation from occurring again. I also intend to reach out to Mr. Bybee's family to share the results of this investigation and legal analysis with them.

Thank you,

Kevin Barton, District Attorney for Washington County