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PRESS RELEASE

On Tuesday June 14, 2022, Detective Aaron Whittenburg of the Coos County Sheriff's Office and Sgt. Dan Henthorne shot Matthew Tyler Michel. Mr. Michel died as result. I personally responded to the scene and personally viewed the incident location. I was present when Detective Whittenburg, Sgt. Henthorne and Sgt. Sanborn of the Coos County Sheriff's Office were interviewed by investigators from the Oregon State Police. I have reviewed the police reports from the investigation of this incident. I have also reviewed multiple times the body camera footage of the incident.

Based upon my review of this case, it is my judgment that the officers who fired were justified in using deadly physical force resulting in the death of Mr. Michel. I set forth my reasoning in reaching this conclusion below.

BACKGROUND OF THE INDIVIDUALS INVOLVED

Detective Aaron Whittenburg began his law enforcement career in 22 years ago with the Warm Springs Police Department in Central Oregon where he served as a Corrections Officer, Patrol Officer, Detective, Sergeant and Acting Lieutenant. Detective Whittenburg moved to the Coos County area 9 years ago and worked as a Police Officer

for the City of Coquille for a short time before joining the Coos County Sheriff's Office as a Patrol Deputy in 2015. Detective Whittenburg is a seasoned investigator and is currently assigned to the South Coast Interagency Narcotics team as the SCINT Director.

Sgt. Dan Henthorne has been involved in law enforcement for almost 16 years. Sgt. Henthorne began his law enforcement career as a police officer for the City of Coquille. He was then hired by the Coos Bay Police Department. Sgt. Henthorne has been a patrol officer, watch commander, patrol sergeant, field training officer and firearms instructor. Sgt. Henthorne holds an advanced law enforcement certificate with the Oregon Department of Public Safety, Standards, and Training.

Matthew Tyler Michel was 37 years old at the time of his death. Unfortunately, he was addicted to methamphetamine and had suffered from this addiction for most of his life. He had been living a transient lifestyle for several years. He also had several criminal incidents in his life. In 2005 he was convicted of Assault in the Fourth Degree in Lane County. In Coos County, in 2020, he pled guilty to Unlawful Possession of Methamphetamine and was granted a conditional discharge. Conditional Discharge is a program whereby if the person successfully completes drug treatment the case is then dismissed. Unfortunately he failed in that program and a conviction was entered. In addition, Mr. Michel, again in Coos County, in 2021, pled guilty to Driving Under the Influence of Intoxicants. He was granted a diversion. A DUII diversion allows a person the opportunity to complete drug/alcohol treatment. That program was to be completed by October this year. If the person successfully completes the program the DUII charge is dismissed. Once again in Coos County, in April of 2021, Mr. Michel was convicted of Attempted Arson in the First Degree and Criminal Mischief in the Second Degree. Mr.

Michel was granted probation and was placed on supervised probation to Coos County Community Corrections.

TOWNSEND HOMICIDE

On June 11, 2022, at approximately 8:33 AM, the Coos County Dispatch Center received two 911 calls indicating a woman was "down" outside the residence located 92616 Cape Arago Highway in the unincorporated area of Coos County. Medical and law enforcement personnel responded to the scene.

At the scene, the officers found lying adjacent to Cape Arago Highway 34-year-old Coos Bay resident Amber Townsend. The officers found she had been shot multiple times with a shotgun. She was transported to Bay Area Hospital where she was declared deceased. As this murder occurred in the unincorporated area of Coos County, the law enforcement agency with jurisdiction over the case is the Coos County Sheriff's Office. Detective Whittenburg was assigned to be the lead investigator.

Evidence at the scene shows a shotgun was used in killing Ms. Townsend. Found at the scene (in her clothing and nearby) were internal parts of shotgun shells commonly referred to as "wadding". However, the actual spent shotgun shells were not located at the scene. In reviewing surveillance video from various locations, Ms. Townsend is observed walking by herself towards Charleston. No one else is seen walking with her or was otherwise observed walking on the highway near the incident scene. Investigators surmised that whoever shot Ms. Townsend must have done so from a vehicle. If the shotgun was fired from inside a vehicle, the spent shell casings would have been ejected inside and remained in the vehicle. With this knowledge, investigators then attempted to

locate and identify vehicles that had been near the shooting scene at the time of the incident. (No video was located that showed the actual shooting of Ms. Townsend.)

On Tuesday June 14, 2022, in reviewing surveillance video from a business near the shooting scene, investigators saw Ms. Townsend walking towards Charleston. Shortly after she left the view of the camera, a blue SUV, traveling towards Coos Bay and in the opposite direction of Ms. Townsend, pulls over to the side of the road. The video is not in enough detail to identify the driver, but the driver is wearing a red/orange colored shirt/sweatshirt. The vehicle would have passed Ms. Townsend before it pulled over. The driver appears to look at the rearview mirror. The vehicle then does a U-turn and heads in the direction Ms. Townsend was walking. Within a couple of minutes, the same vehicle is observed, after having reversed direction again, driving towards Coos Bay at a high rate of speed. Given the close proximity in time and to the shooting location, investigators believed that this vehicle was involved in the death of Ms. Townsend.

The video of the vehicle showed it did not have a front license plate and the rear license plate was never observed in the video. Investigators then began contacting businesses and residences in the direction that the vehicle had been driven to see if they could find video of the vehicle after it had fled the scene. Investigators also "back tracked" from the scene to see if video could be found showing the vehicle traveling towards Coos Bay before the shooting.

During the afternoon of June 14, 2022, investigators found video of the vehicle that showed its rear license plate. With that license plate number, officers contacted the registered owner of the SUV. In interviewing that person, investigators learned that he had recently sold the vehicle to Mr. Michel. Mr. Michel paid several thousand dollars in

cash for the SUV. Having identified Mr. Michel as the person owning/possessing the vehicle, officers then began looking for the SUV and Mr. Michel.

Investigators checked the parking lots of several motels along Highway 101 in Coos Bay/North Bend. At approximately 7:00 PM officers located the SUV parked in the parking lot of the Global Inn. Investigators contacted management of the motel and learned that Mr. Michel had been staying at the motel since May 16, 2022, and that Mr. Michel had paid cash for the rooms he rented. Investigators also learned that Mr. Michel was on felony probation for the attempted arson. Investigators were informed that Mr. Michel was on the detainable list in that he had failed to report to his probation officer as directed. Investigators contacted the probation officer for Mr. Michel and confirmed that if contacted by police, the probation officer wanted Mr. Michel detained.

INCIDENT OF JUNE 14, 2022

Investigators decided they needed to contact Mr. Michel. He was a suspect in the death of Ms. Townsend. At that time, officers knew of no connection between Ms. Townsend and Mr. Michel. Investigators believed that if in fact Mr. Michel had killed Ms. Townsend that he presented a danger to the public. It was decided that contact would be made with Mr. Michel. At the bare minimum the officers decided that Mr. Michel would be taken into custody on the probation violation.

With that knowledge, investigators contacted Coos Bay Police to inform them of the investigation to that point and to also ask for assistance in making the contact with Mr. Michel. Officers who were at the Global Inn were Detective Whittenburg, Sgt. Sean Sanborn and Deputy Jonathan Boswell (all from the Coos County Sheriff's Office), Sgt. Dan Henthorne, Detective Ken Labrousse and Officer Bobbie Collier (from the Coos Bay

Police Department). All officers, except Detective Whittenburg, were in uniform displaying a badge. Detective Whittenburg was in street clothes. The officers decided to attempt what is referred to as a "low key" contact. The plan was that Detective Whittenburg would approach the door of the room that Mr. Michel was staying in. Sgt. Sanborn, Sgt. Henthorne and Deputy Boswell would be near the door. Detective Labrousse and Officer Collier stood about five yards back from the door to be ready to assist if need be. The plan was for Detective Whittenburg to knock on the door of the room. If Mr. Michel answered and was not armed, the police would then take him into custody on the probation violation.

The officers approached the door as planned. Detective Whittenburg knocked on the door and Mr. Michel answered the door. Detective Whittenburg identified himself as "Aaron" and asked if he could talk with Mr. Michel. Mr. Michel was not armed. Mr. Michel then began to shut the door. At that point Detective Whittenburg, along with Sgt. Sanborn and Sgt. Henthorne, prevented the door from being pushed shut and loudly announced they were police officers. Mr. Michel continued to push back against the door, but eventually stopped pushing and moved rapidly back into the motel room. Detective Whittenburg, Sgt. Sanborn and Sgt. Henthorne then entered the room and ended up in a line facing Mr. Michel. Deputy Boswell entered the room and was behind the other officers.

Inside the room at least one officer yelled loudly for Mr. Michel to get on the floor. He continued towards a bed in the room. The bed had numerous items on it. One item was a gun case that had the butt end of a long gun protruding from it. Mr. Michel began

reaching for a knife that was on the bed. An officer yelled "Don't touch it". Mr. Michel picked up the knife. An officer yelled twice for Mr. Michel to put the knife down.

Mr. Michel then "fixated" on Sgt. Sanborn and moved towards him as if to stab him. Detective Whittenburg and Sgt. Henthorne each fired one shot; both shots struck Mr. Michel. After being shot Mr. Michel fell to the floor and dropped the knife. Even after he hit the floor it appears he tried to reach for the knife. An officer yelled at him to not reach for the knife. A "shots fired" call was made by both Sgt. Sanborn and Sgt. Henthorne at 7:36 PM. Medical personnel were requested at the same time.

This incident happened very quickly. From the time Detective Whittenburg first knocks on the door until the shots fired call is made, approximately one minute and seven seconds pass. Sgt. Sanborn immediately began first aid efforts and used a medical kit supplied by Sgt. Henthorne. Once medical personnel arrived on scene Mr. Michel was transported to Bay Area Hospital. He was declared deceased at the hospital.

FOLLOW-UP INVESTIGATION

I arrived on scene approximately 40 minutes after the shots fired call. I asked the Oregon State Police to lead the investigation into the shooting and detectives from both Springfield and Roseburg arrived on scene. All officers present at the scene, including the two officers that fired their handguns, fully and completely cooperated with the State Police in this investigation.

STATEMENTS BY THE OFFICERS ON SCENE

During the interview of Detective Whittenburg, Detective Whittenburg stated that he believed that Mr. Michel was about to or had stabbed Sgt. Sanborn. (Detective Whittenburg even checked the person of Sgt. Sanborn to make sure he had not been

stabbed). Detective Whittenburg indicated he believed he had to fire his handgun to save the life of Sgt. Sanborn.

Sgt. Henthorne indicated in his interview that "I thought he was going to kill him" referring to Sgt. Sanborn and that he had to fire his handgun to save Sgt. Sanborn.

Sgt. Sanborn indicated in his interview "my life was saved by Aaron (Whittenburg) and Dan (Henthorne)".

Deputy Boswell also told investigators that he believed Sgt. Sanborn's life was in danger. He indicated he would have fired his handgun but did not do so as the other officers were in his line of fire.

Detective Labrousse and Officer Collier were interviewed, but due to where they had stationed themselves, they did not observe what occurred in the motel room. They did confirm the events leading up to the incident.

SEARCH OF MR. MICHEL'S MOTEL ROOM, SUV AND OTHER INFORMATION

A large sum of cash was found in Mr. Michel's room. Also found was a new laptop computer, new clothing, and other items that appeared to have been recently purchased. In the gun case found on the bed, investigators found a .300 magnum rifle with a scope and ammunition for the gun. Also found was body armor. (What Mr. Michel intended to do with the rifle and body armor is not known.) Also found were paraphernalia used in the ingestion of methamphetamine.

As Mr. Michel had been basically homeless, the police wanted to know where the money had come from that was found in the room and that had been obviously spent on the car, the motel and new items found in the motel room. Investigators learned Mr. Michel

had inherited on May 14, 2022, over \$80,000 which is the money he used to buy the SUV, rent the motel rooms, and all of the recently purchased property in the room.

The knife used by Mr. Michel was located in the room. It was found to be in a sheath.

At autopsy it was determined that both shots fired by the officers struck Mr. Michel. One shot hit him in the right hip. The other shot hit him in the left side. Mr. Michel died as a result of massive internal bleeding. Final toxicological reports will not be available for several months, but a presumptive test was done during autopsy. This presumptive test was positive for methamphetamine.

A family member of Mr. Michel indicated that in the days leading up to his death that he had been having mental difficulties that included delusional behavior.

EVIDENCE FOUND RELATED TO THE TOWNSEND MURDER

In searching both the motel room and the SUV, the investigators did not find a shotgun. However, they did find a newly purchased shotgun cleaning kit for a 12-gauge shotgun. In interviewing housekeeping staff at the motel, the officers learned that shotgun ammunition had been observed in one of the rooms Mr. Michel had rented at the motel. Surveillance video from the motel shows Mr. Michel wearing a red/orange colored shirt the morning of the death of Ms. Townsend.

Subsequent investigation also determined that Mr. Michel had previously lived in a trailer occupied by Ms. Townsend and her boyfriend. Mr. Michel had moved out of the trailer roughly a year ago. Investigators are continuing to look into the status of how Mr. Michel felt about Ms. Townsend.

The investigation at this point puts Mr. Michel at or near the scene of Ms. Townsend's death. The SUV in question belonged to Mr. Michel and the sole person driving or possessing the SUV was Mr. Michel. The SUV was observed shortly before and immediately after the shooting of Ms. Townsend. After the shooting occurred, the vehicle is seen fleeing the area at a high rate of speed. The evidence also shows circumstantially that Mr. Michel was in possession of a shotgun as he had a brand-new cleaning kit for a shotgun and shotgun ammunition. His actions as the police attempted to contact him are also strong indications that he caused the death of Ms. Townsend.

While the investigation into this murder will continue, the evidence discovered so far indicates that Mr. Michel killed Amber Townsend. No other suspects or persons of interest have been developed in the case.

THE LAW

ORS 161.209 states that a person is justified in using physical force upon another person for self-defense or to defend a third person from what the person reasonably believes to be the use or imminent use of unlawful physical force, and the person may use a degree of force which the person reasonably believes to be necessary for the purpose.

The use of deadly physical force is limited to certain situations. ORS 161.219 states in part that a person is not justified in using deadly physical force upon another person unless the person reasonably believes that the other person is using or about to use unlawful deadly physical force against a person.

Two of the officers in this situation, Sgt. Sanborn and Sgt. Henthorne, were wearing body cameras. As part of this press release, I have attached the relevant portions

of that footage. It is clear that the officers identified themselves as police officers; that they ordered Mr. Michel to get on the floor; that Mr. Michel disregarded that order and reached for the knife; and that he was told at least twice to drop the knife. Despite these warnings he still approached Sgt. Sanborn in a posture indicating he wanted to stab Sgt. Sanborn.

This incident happened very fast. Mr. Michel picked up a knife, and even though it was in a sheath, under the lighting conditions in the room, it was not apparent that the knife was in a sheath. The actions of Mr. Michel included disregarding the officers' orders and moving towards Sgt. Sanborn in a manner that showed he wanted to stab Sgt. Sanborn. Under the totality of the circumstances then presented to the officers, it would have been reasonable for any person to believe that Mr. Michel was about to stab Sgt. Sanborn. Any person would have been justified in using deadly physical force against Mr. Michel.

CONCLUSION

Based upon the above facts and the law, it is my judgment that Detective Whittenburg and Sgt. Henthorne were justified in using deadly physical force against Mr. Michel.



R. Paul Frasier