

5 years after wife's death, ex-Gladstone cop found guilty of arranging killing

By *Everton Bailey Jr.* | *The Oregonian/OregonLive* | Follow on Twitter on October 21, 2016 at 7:59 PM, updated October 21, 2016 at 8:17 PM

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[2011 Cop Domestic Violence murder](#) Lynn Edward Benton

Lynn Edward Benton, once the public face of the small Gladstone Police Department as its spokesman and patrol sergeant, could become the 35th person on Oregon's death row after a jury Friday held him responsible for the 2011 fatal shooting, beating and strangling of his wife in her beauty salon.

The verdict ended the suspense about Benton's role in the long-running murder case that jolted the commuter community of 12,000 south of Portland.

Benton was a police officer in Gladstone for more than 20 years until the death of Debbie Higbee Benton led to criminal charges not only for Benton but for his family and friends in related and unrelated cases and exposed the couple's broken relationship torn apart by Benton's transition from woman to man.

Benton, dressed in a black suit, black tie and white shirt, appeared to show little emotion after Clackamas County Circuit Judge Kathie Steele announced that a jury had found him guilty of aggravated murder, conspiracy to commit aggravated murder and attempted murder.

One by one, the nine women and three men announced that their votes were unanimous on all charges except an 11-1 decision on the attempted murder count.

Four deputies later led Benton out of the courtroom in handcuffs.

The same jurors will return to court Tuesday as prosecutors and defense attorneys begin arguing what sentence they believe Benton should receive. Benton faces the death penalty, life in prison without parole or a life sentence with a minimum of 30 years in prison before being eligible for parole.

"We are so happy to have this verdict come in the way it did — guilty on all charges. Debbie is looking down on us and she is very happy right now," said Higbee Benton's brother, Tony Stephens.

Stephens sat on a second row bench with his sister, Cherie Higbee, and his girlfriend almost every day of the monthlong trial that drew testimony from more than 70 witnesses. He said he still listens to a recording of Higbee Benton's voice on his phone.

Benton's mother, Sandra, sat behind her son with her eyes closed for several seconds after the verdict was announced. Her husband Roy and daughter Karen sat beside her.

Karen Benton initially was named in search warrants as a suspect in the case, but was never charged and denied any involvement. Roy Benton was charged and convicted of child pornography possession after investigators found images on his laptop while seizing evidence related to the murder case.

The family members remained in the courtroom in tears several minutes after most people had left. They all declined comment.

Judy Gustafson, a family friend who sat with the Bentons, lashed out at the prosecution.

"Coincidences were handled like they were circumstantial evidence and they were coincidences," she said. "It's just a really, really badly handled investigation and prosecution."

The city of Gladstone offered condolences to Higbee Benton's family and others affected by her death.

"Debbie was a beloved member of our community and missed by those who knew her," the city said in a statement. "There are no winners in this case and these lives are forever altered."

Benton was the first person tried in his wife's death. Susan Campbell, Benton's longtime friend, and Jason Jaynes, Campbell's son, also are accused of aggravated murder in the case. Campbell, 58, was once the prosecution's key witness whose cooperation secured grand jury indictments against Benton and her son. Jaynes, 36, is scheduled for trial in March. No trial date is set yet for Campbell.

Benton met Higbee Benton in 2008 and they married in October 2010. Born Lynne Irene Benton, the sergeant spent the majority of his law enforcement career as a woman and began transitioning to male in 2010 before he wed Higbee Benton. He legally changed his name to Lynn Edward Benton.

Among the motivations for the killing, prosecutors said, was to prevent domestic violence allegations from affecting Benton's job as a police officer, prosecutors said. The gender reassignment caused a rift between the couple and Benton moved out of their home a month before Higbee Benton's death.

According to witness testimony, Higbee Benton told relatives, a counselor and others that Benton once pinned her arm behind her back, slammed her into a wall and caused her to tear her rotator cuff in her shoulder. She also claimed Benton pinned her against a wall with his forearm against her throat on another occasion.

Benton offered Campbell and Jaynes \$2,000 to kill Higbee Benton, prosecutors said. He also made an earlier attempt on his wife's life by trying to give her an overdose of fentanyl, they said.

Higbee Benton, 54, was found lying on her back in a storage room at the salon she had owned for at least 20 years. It was about 8:40 p.m. on May 28, 2011. Three people discovered her body

– a friend who had come looking for her when she missed a dinner gathering, a firefighter and Benton. The friend initially found the salon locked and had gone to a bar next-door for help. An off-duty firefighter at the bar called Benton, and all three headed to the salon.

A county deputy medical examiner initially misdiagnosed the bullet wound and determined Higbee Benton had died of natural causes. Her body was re-examined the next day and the death was ruled a homicide.

But suspicion soon fell on Benton. He was placed on leave from the police department and never returned. He was fired in December 2011 after an internal investigation concluded he violated city policy by having pornography on his work-issued laptop. The investigation also alleged Benton engaged in a sham marriage to a Brazilian man in the '90s so the man would qualify for U.S. citizenship. No charges were ever filed in the marriage case.

Benton worked as a Greyhound bus driver until his arrest on Nov. 7, 2012, on suspicion of orchestrating the death of his wife. Jaynes was arrested the day after. Campbell had been arrested in June 2011 and initially cooperated with investigators.

Campbell pleaded guilty in 2012 to attempted aggravated murder in an agreement with prosecutors to testify against Benton and Jaynes in exchange for a 10-year sentence that later was increased to 16 years after she was convicted of witness tampering in a sex crimes case against her son. She also pleaded guilty in a separate drug case and was sentenced to 30 months in prison. The judge revoked Campbell's agreement with prosecutors just before Benton's trial after determining she had repeatedly violated the deal.

Jaynes has never admitted to having a role in Higbee Benton's death. He was charged with aggravated murder after another jail inmate told investigators that Jaynes admitted that he helped kill Higbee Benton as a favor to Benton. He's serving a sentence of more than 14 years in prison in a 1999 sex abuse case. Police reopened the investigation after discovering it while investigating Jaynes in the Higbee Benton murder case.

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