

Transgender Gladstone cop on trial for killing wife

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[2011 Cop Domestic Violence Murder](#) Lynn Benton

By Brent Weisberg and KOIN 6 News staff Published: August 16, 2016, 5:00 am Updated: August 16, 2016, 9:30 pm

OREGON CITY, Ore. (KOIN) — Former Gladstone Police Sgt. Lynn Benton is in the biggest fight of his life.

Story highlights:

- A former police sergeant is accused of plotting to have his wife executed
- The suspected motive in the conspiracy may have been over domestic violence allegations
- Defense challenges state's use of jailhouse informants, police search warrants
- Victim was 'beloved' salon owner in Gladstone
- Motive to killing possibly linked to domestic violence allegations, rape case cover up

More than 5 years since police first suspected Benton of formulating and executing a plot to kill his wife, Debbie Higbee-Benton, the trial is set to begin with jury selection Tuesday in Clackamas County Circuit Court.

Opening statements are not expected until September.

At the time of the murder, Benton was undergoing a female-to-male sex reassignment, according to court records. Benton refers to himself using male pronouns.

Benton and Higbee-Benton were legally married as husband and wife in 2010, according to defense court documents.

At the time of Higbee-Benton's death, they were "living separately and estranged."

In court documents filed by the defense team, Benton and Higbee-Benton were described as having a rocky relationship. The two had argued repeatedly as Benton continued his transition.

On Nov. 6, 2012, a grand jury seated in Clackamas County issued an indictment against Benton, charging him with 2 counts of aggravated murder, 3 counts of solicitation to commit aggravated murder, 2 counts of criminal conspiracy to commit aggravated murder and one count of attempted aggravated murder.

What follows is a detailed explanation of a convoluted, complex murder investigation that includes allegations of police cover-up of a rape, witness interrogation, a jailhouse informant, intimidation, the statute of limitations, domestic violence, child pornography, a confession, multiple trials and the persistent pursuit of justice by prosecutors and defense attorneys.

The initial investigation: Heart attack or homicide?

Key Individuals:

Lynn Edward Benton – Former police sergeant charged with aggravated murder

Susan Campbell – Self-admitted to shooting Benton's wife, Debbie Higbee-Benton

Jason Jaynes – Campbell's son accused of beating, strangling Higbee-Benton after shooting

Debbie Higbee-Benton's last client left her salon, the Gladstone Beauty Salon, around 3:30-4 p.m. on May 28, 2011. Court records also show she never showed up for a 6 p.m. dinner event that had been previously scheduled.

Two of Higbee-Benton's friends became concerned about her welfare and went to contact a neighboring business. The employee of the other business, who was also an off-duty firefighter, went to Gladstone Police Department and contacted Benton.

At 8:42 p.m., Benton and an off-duty firefighter went to Gladstone Beauty Salon to check on her.

Benton had a key to the salon. After entering the salon, the firefighter and Benton found Higbee-Benton dead in the back storage room.

"...as soon as Benton went back to the office and turned on the light, 'Sgt. Benton let out a blood curdling scream,'" according to defense court documents.

Law enforcement and Benton's attorney differ on what happened inside the salon.

Police claim Benton made no attempt revive his wife, but the defense claims that Benton was able to determine, as a trained paramedic, that Higbee-Benton had no pulse and that her body was "stiff."



Debbie Higbee-Benton in an undated file photo (KOIN)

"Benton immediately called for police assistance" and within 2 minutes of the call for help, another police sergeant arrived, according to court documents.

His defense attorneys said, "Sgt. Benton was visibly upset and crying. [He] was crying and sobbing."

Initially, the deputy medical examiner determined Higbee-Benton's death was caused by a heart attack.

Her body was taken to the Oregon State Medical Examiner's Office in Clackamas where an autopsy was performed the following day.

Autopsy results showed Higbee-Benton had been shot and strangled. The matter of death was determined to be "homicide" and the cause of

death was a “gunshot wound of the back, neck compression/strangulation, and blunt force chest and abdominal trauma.”

Records show Benton “was...on duty...at the moment the victim was murdered.”

Susan Campbell: Confesses to shooting Debbie Higbee-Benton



Susan Campbell in an undated file photo from KOIN

A woman named Susan Campbell was ultimately arrested on June 3, 2011 in connection to Higbee-Benton’s murder.

Investigators first learned of Campbell’s involvement with the crime after a woman called a police tip line and said she thought she had information that could help investigators.

The tipster said she was close friends with Campbell and reported several “highly suspicious” statements

she made both before and after the murder.

She wore a police body-wire and met with Campbell on 2 dates, records show. During those meetings, Campbell “continued to make incriminating statements.”

According to court documents, Campbell admitted to shooting Higbee-Benton once in the back. She allegedly “stated the victim was still alive after being shot.” Campbell called Benton and told him Higbee-Benton was still alive. Records show Benton “told Campbell to leave the salon.”

As detectives questioned Campbell, they learned about her son — Jason Jaynes’ — possible involvement with the murder.

Campbell told investigators about a conversation that was held in her dining room. Present at the meeting was Campbell, Jaynes and Benton. The conversation focused, according to Campbell, on Benton’s desire to have Higbee-Benton killed.

Jaynes reported mentioned \$2,000 as “a joke” to go through with the plot to kill Higbee-Benton, but Benton said that \$5,000 was “the highest [he] could go,” according to court documents. Jaynes told Benton that “he would not kill anyone for under \$20,000.”

On June 24, 2011, Campbell was charged with one count of aggravated murder. She ended up taking a cooperation agreement with the state, and on Nov. 9, 2012 she plead guilty to attempted aggravated murder.

It is widely expected that Campbell will testify against Benton in court, but according to documents filed last week, it’s still unclear if she will actually take the stand.

As part of her cooperation agreement with state prosecutors, Campbell is expected to serve 10 years in prison.

However, court documents filed in July indicate that Campbell was untruthful, and they are seeking to have her plea set aside. That could present the chance for the DA's Office to prosecute Campbell for aggravated murder. Her defense team counters and said Campbell has always cooperated with investigators. A judge's decision on whether or not Campbell's plea can stand has not been determined.

During another meeting with investigators, Campbell reportedly told investigators that her son, Jaynes, provided her "with a vial of insulin to be used to put Debbie Higbee into a coma or kill her," according to court documents. Based on court documents, it's not clear when the vial of insulin was given to Campbell, or if Campbell actually used the insulin.

Jason Jaynes: Accused of 'finishing the job' left behind by his mother



*Gladstone Beauty Salon in an undated file photo.
(KOIN)*

Jason Jaynes allegedly knew about the conspiracy to have Higbee-Benton killed.

He was there when Benton and Campbell talked about the plan to have Higbee-Benton executed, according to court documents.

Records show he also talked about the "opportunity" with his girlfriend and "in a text, Jaynes tells [his girlfriend] he can make \$5,000 but he'll have to 'off someone.'"

His girlfriend replied, "Don't do it."

Jaynes later told detectives he was "only joking" with his girlfriend.

At the time of Higbee-Benton's death, Jason Jaynes was working as a gas station attendant less than a mile from the crime scene. He had been scheduled to work from approximately 2:15 p.m. – 9 p.m. on the day of the murder.

Detectives spoke with Jaynes' co-worker, Nick Smith, who initially told detectives Jaynes never left the gas station that day. Over time, however, Smith changed his story and detectives determined Jaynes left work 3 times.

After his first absence, Jaynes returned to work and pumped gas for 30 minutes. Detectives believe he left a second time and spent at least 45 minutes away.

He came back shortly after but left again to go to McDonald's. Video taken inside shows him making a purchase at 6:08 p.m. on the day Higbee-Benton was killed.

Jaynes' defense council wrote, "...there is no physical evidence to connect Jason Jaynes with Higbee-Benton's beauty salon, on May 28, or at any other time."

Jaynes remains in custody. His trial is not scheduled to start until March 2017.

Motive: Domestic Violence allegations, a career in jeopardy



Former Gladstone Police Sgt. Lynn Benton in an undated file photo (KOIN)

Prosecutors assert Benton's motives to have his wife killed may have been spurred by allegations of domestic violence, which if made public, would have destroyed his 24-year career as a law enforcement officer.

After the discovery of Higbee-Benton's body, investigators learned she had "recently been a victim of domestic violence committed by [Benton]," prosecutors wrote in court documents.

Allegations of domestic abuse committed by a law enforcement officer can "have significant negative consequences on an officer's career, including possible dismissal."

Prosecutors claim Benton told detectives he once "lost [his] temper" with his wife and "pinned her into a corner" with his arm to make her listen to him.

Family members and Campbell reinforced those claims by telling detectives they knew Benton had physically abused Higbee-Benton. But Campbell was allegedly "concerned with his reputation, and [was] afraid Debbie Higbee-Benton would publicly disclose [Benton] was being physically abusive," court documents state.

Benton's defense attorneys dispute the claims.

Court records suggest Benton suspected his wife was going to police to "file papers" on the alleged abuse around May 30, 2011, and that he "demanded" the murder occur before that happened.

Motive: Why would Benton approach Campbell and Jaynes to commit murder?

While investigating Campbell and Jaynes' alleged involvement in Higbee-Benton's murder, investigators discovered the mother and son "owed" Benton for his role in a suspected cover-up of a rape case in which Jaynes was identified as the primary suspect.

Detectives uncovered a 1999 police report that named Jaynes as a suspect and accused him of 2nd-degree rape.



Debbie Higbee-Benton in an undated file photo (KOIN)

The officer who initially wrote the report turned it over to his immediate supervisor, Lynn Benton, who was “one of Susan Campbell and Jason Jaynes’ closest friends.” It was then her responsibility to deliver the report to the Clackamas County District Attorney’s Office.

But the report allegedly never arrived and Lynn was never prosecuted.

“Later, Benton told Campbell that because Benton took care of [the rape case], Campbell owned Benton ‘big,’” according to court documents.

When Benton approached Campbell to have Higbee-Benton killed, records show Campbell told Benton a biker named “Tommy Knocker” would get the job done. She later admitted to Benton that there was no one named “Tommy Knocker.”

That allegedly made Benton “angry”. He told Campbell the statute of limitations on Jaynes’ sex crimes had not lapsed and “threatened to expose Jaynes’ sex abuse case if Campbell did not go through with the murder,” according to court documents.

Jail house informant

In June 2015, investigators in Clackamas County learned that a man named Travis Layman had information about Higbee-Benton’s death.

At the time, Layman was being held at a Multnomah County jail. He and Benton were housed in the same cellblock and reportedly started to discuss their cases.

Based on Layman’s accounts, Benton “ultimately revealed...his involvement in the conspiracy, solicitation, murder attempts and eventual murder of [Higbee-Benton.]”

Layman provided state investigators with notes he took that reportedly detailed the conversations he had with Benton. The defense team is challenging the credibility of those notes, since none of the conversations were ever digitally recorded.

Defense question police tactics, witnesses

Defense attorneys argued that detectives put immense pressure on Jaynes’ co-worker, Nick Smith, to change his story and fix the timeline they developed.

“...Jason Jaynes had a rock-solid alibi for the entire period in which Debbie Higbee-Benton could have been murdered, until the state spent some 16 hours interrogating Nick Smith, his co-worker...” defense court documents state.

Defense attorneys are also calling Campbell's credibility as a witness into question. In court documents, they point out that she routinely lied to investigators. They also claim she has a history of mental illness and previously abused a variety of drugs.

State documents acknowledge that Campbell could be a liability. Prosecutors said she failed to testify truthfully and didn't cooperate with detectives in May 2014.

"Campbell has mental health issues which may affect her ability to perceive, recall, and or/relate events at trial," defense court documents state.

Benton charged with drug possession — but evidence suppressed



Former Gladstone Police Sgt. Lynn Benton in his most recent mug shot from the Clackamas County Sheriff's Office, August 15, 2016

In October 2013, a grand jury in Multnomah County charged Benton with 2 counts of unlawful possession of a controlled substance. The charges stemmed from the time of his arrest when he had 2 bags and a cellphone. A search warrant revealed there were fentanyl patches and a Schedule 2 controlled substance that belonged to Higbee-Benton.

The case is currently on appeal as Benton's defense attorneys and state prosecutors in Multnomah County argue over the search warrants used in the case to obtain the fentanyl patches.

In November 2014, a Multnomah County Circuit Court judge ruled there was a "lack of probable cause on the search warrants" and granted a defense motion to suppress evidence in the case. The Multnomah County District Attorney's Office is seeking an appeal on the judge's ruling.

Detectives also found child pornography when they searched Benton's sister's home. An investigation determined the images belonged to Benton's father, who was ultimately charged for possessing child porn in state and federal court.

Roy Benton pled no contest to one count of encouraging child sexual abuse in the second degree in March 2015 and was sentenced to 2 years of probation.

After being fired from Gladstone Police Department, Benton began working as a driver for a national bus company, which is where he was eventually arrested for his alleged role in Higbee-Benton's death.

The Oregonian / OregonLive reports that Benton was fired from the city because "the city contends, pornography was found on the sergeant's work-issued laptop and Benton had a sham marriage in 1993 that allowed a Brazilian man to qualify for U.S. citizenship."

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