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FOR IMMEDIATE RELEASE
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Grand Jury returns not true bill decision in September 30, 2018 fatal officer involved shooting

Today, Multnomah County District Attorney Rod Underhill announced that upon the conclusion of testimony in a two day hearing, a grand jury returned a not true bill regarding the use of force by two Portland Police Bureau (PPB) officers that resulted in the death of 27-year-old Patrick Kimmons.

The grand jury's not true bill decision means they have determined no criminal prosecution is warranted, and that the use of deadly force against Mr. Kimmons by PPB Sergeant Garry Britt and Officer Jeffrey Livingston was a lawful act of self-defense and/or defense of a third person, pursuant to Oregon law.

This investigation began on Sunday, September 30, 2018, following the report of an officer-involved shooting. A copy of the information previously released in this case from the Portland Police Bureau can be obtained by clicking [here](#) and scrolling to the middle of the webpage.

The grand jurors who reviewed this case are Multnomah County community members. Each grand juror was selected by Multnomah County's Chief Criminal Judge from the regularly scheduled empaneled grand jury. This is a process set by Oregon's Constitution.

Like in the past, the grand jury proceedings in this case were recorded, in accordance to ORS 132.260.

Pursuant to [ORS.132.270](#), the Multnomah County District Attorney's Office will file a motion today with the court to release a transcript of the grand jury proceedings. Sgt. Britt, Officer Livingston, or either of their attorneys have 10 days, upon the State filing its request, to move the court for a protective order regarding the release of the transcript or a portion of the transcript.

It shall be up to the Multnomah County Circuit Court Presiding Judge to determine if the motion to release the transcript will be granted.

The Multnomah County District Attorney's Office cannot comment any further on this case.

#MCDA#

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