



Patricia W. Perlow
Lane County District Attorney

LANE COUNTY DISTRICT ATTORNEY'S OFFICE
125 EAST 8th AVENUE, ROOM 400
EUGENE, OREGON 97401-2926
FAX ONLY (541) 682-3890
(541) 682-4261

Date: September 4, 2019

To: Media

From: Patty Perlow, District Attorney

Re: August 24, 2019 IDFIT Investigation

After reviewing all records, I have concluded that the use of deadly force by a Lane County Sheriff's sergeant on August 24, 2019, was a lawful use of deadly force in defense of persons.

On 8/23/19 at about 10:00 p.m., Sheriff's deputies were dispatched to 37059 Row River Rd., Dorena. The property includes a home, a shed, a camp trailer and a camp tent. Three generations of a family occupy the property with guests. The property is owned by Ruth Kennington.

The initial 911 call was made by Ms. Kennington's mother who reported that her granddaughter, Erin Garrison, and Garrison's boyfriend, Larry Lowry, Jr., were in a physical fight. Mr. Lowry was destroying property, including breaking windows and the door to the residence. The caller, Lozita "Rose" Fullen, reported that she was armed with a firearm and prepared to use it against Mr. Lowry if he came after her. She reported that Mr. Lowry was attacking her granddaughter and another female.

Both Mr. Lowry and Ms. Garrison had warrants for their arrest. Deputies responded to the property but both Mr. Lowry and Ms. Garrison had left. Deputies searched for the two for about an hour without success. They left the property advising Ms. Fullen to call again if Lowry returned.

The second female reportedly attacked by Lowry, Patricia Adair, was living in the camp trailer on the property. She told investigators that Lowry physically assaulted her and said, "I'll fucking kill you bitch."

Garrison reported she returned to the property alone and went to bed in the shed. She said she had locked the door. Lowry returned about 1:00 a.m. and started kicking the shed door, gaining entrance. Lowry told Garrison to get some car keys or he was going to "kill everyone in there," referring to the main house. Garrison went to the house where Fullen was still holding her gun and called 911 again. Garrison remained in the house for fear what Lowry would do if she came out without car keys.

Two deputies arrived several minutes later, McQuillen and Lay. Lowry was in the shed and refused to exit. All witnesses, including law enforcement, residents and neighbors reported Lowry was yelling and breaking things in the shed. Deputy Lay went up to the shed and could see Lowry through the broken shed door was holding a large fixed blade knife. Lowry reportedly yelled that he was going to “kill all you fucking pigs.” Deputies McQuillen and Lay backed away and requested more deputies respond.

Deputies Dodds and Gardner were next to arrive. Lowry was still yelling “fuck the police, you are all liars” and “I’m going to kill you all.” Deputy Dodds reported Lowry said he had “waited for this day my whole life.” Sgt. McKenny arrived on scene and took command.

Deputies tried calming Lowry down. All reports were that the deputies were calm and professional, requesting Lowry come out of the shed with his hands empty and showing. Lowry refused to come out and demanded to speak with Garrison. Ms. Garrison was summoned and provided the PA system on one of the patrol vehicles to address Lowry. She told him she loved him and that she didn’t want him or the officers to get hurt. Lowry initially calmed down. At that point, Deputy Gardner switched out his firearm for a less lethal (rubber bullet firing) rifle because he believed the incident was going to resolve peacefully. Deputies again requested Lowry come out with his hands empty and showing. Lowry re-escalated and demanded to speak again with Garrison. Garrison attempted to calm Lowry down again, but was unsuccessful. At that point, Lowry broke through the wall of the shed and headed toward Deputy McQuillan who was visible to Lowry down the driveway.

Deputy Gardner and Sgt. McKenny were closest to Lowry as he moved toward McQuillan. Garrison said she saw Lowry “run” toward the deputies. The deputies reported Lowry moved at a purposeful pace, picking up speed as he went, with something in his hand. He refused commands to stop and drop what was in his hand. Deputy Gardner fired a 40mm less lethal round at Lowry, hitting Lowry in the chest, with no effect on Lowry. Sgt. McKenny fired two rounds from his patrol rifle, striking Lowry twice, once in the right side of his chest and once in the right side of his back. Sgt. McKenny fired at Lowry in defense of his subordinates and prior to a “crossfire” situation arising as Lowry moved to where the deputies were staged in cover.

Lowry was armed with a large, fixed blade knife as he moved toward Deputy McQuillan. Lowry covered approximately 30 feet from the shed to the point where he was shot by Sgt. McKenny and fell to the ground.

Deputies rendered aid to Lowry for nearly 20 minutes waiting for medics to arrive to the remote location. Medics pronounced Lowry deceased upon their arrival.

IDFIT (the Inter-Agency Deadly Force Investigative Team) was called out to the scene to take over the investigation. The investigation was supervised by OSP Lt. Ryan Martin and the lead investigator was SPD Det. Kyle Potter. OSP and SPD detectives worked around the clock on this investigation. Normally, there would be assistance from Eugene Police, but they reported having no available detectives.

Preliminary toxicology results show Lowry had been using methamphetamine prior to these incidents.

Sgt. McKenny has been with the Lane County Sheriff's office since May 30, 2006, and has no prior use of deadly force incidents.

cc: Lt. Ryan Martin, OSP
Det. Kyle Potter, SPD
Sheriff Cliff Harrold