



NEWS RELEASE
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FOR IMMEDIATE RELEASE

DEPUTY JUSTIFIED IN USE OF DEADLY FORCE

SPRINGFIELD, Mo. – Dan Patterson, Greene County Prosecuting Attorney, announced today his conclusion that Deputy Matthew Keatt's use of deadly force in shooting Tammy Robinette was legally justified. Attached is the letter sent to Sheriff Jim Arnott detailing the facts which form the basis this conclusion.

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November 10, 2011

Sheriff Jim Arnott
Greene County Sheriff
1010 Boonville Avenue
Springfield, Missouri 65802

RE: Officer Involved Shooting on October 4, 2011, MSHP Case No. 11 278 053 000, GCSO Case No. 1475311

Dear Sheriff Arnott,

The shooting of Tammy Robinette, involving Greene County Sheriff's Deputy Matthew Keatts, during the evening hours of October 4, 2011, was a justifiable use of force by a law enforcement officer. This conclusion was reached as a result of an intensive investigation by the Greene County Sheriff's Office, review of the investigation by the Missouri State Highway Patrol, and reexamination of the facts and law by the Greene County Prosecuting Attorney.

Any circumstance in which a law enforcement officer uses his or her firearm is appropriately the subject of close public scrutiny. It is entirely appropriate and correct for the community to know the facts and circumstances surrounding any such event.

At the same time, we all recognize that the use of deadly force by a law enforcement officer invites second-guessing of difficult officer decisions that must be made in a split-second in the most trying of circumstances. The facts of each case must be kept firmly in mind as we judge the reasonableness of an officer's actions. An officer's conduct in these situations cannot be fairly evaluated by hindsight speculations.

The sole responsibility of the Prosecuting Attorney is to determine whether the officer committed a criminal act by using deadly force that killed a person or whether the officer justifiably used deadly force and, therefore, did not commit a criminal violation under the law of this State.

A law enforcement officer, as any other citizen, is justified in using force in his defense or the defense of others. An officer is under no obligation to retreat or withdraw if he meets resistance, and if in the course of the performance of his duty an officer reasonably believes he or another is in imminent danger of serious physical injury or death and reasonably believes

that deadly force is necessary to protect himself or another, he may even use force including the taking of a life.

The facts supporting my finding that the shooting in this case was justifiable are as follows (times are approximate):

- 8:23 p.m. – A motorist reports to Missouri State Highway Patrol, Troop D, a green minivan weaving on westbound Highway 60 from State Highway VV (Mill St.) in Webster County.
- Between 8:39 p.m. and 8:50 p.m. – Two different motorists report to Missouri State Highway Patrol, Troop D, a possible intoxicated driver westbound on James River Freeway approaching West Bypass. The callers identified the vehicle as a blue or green minivan.
- 8:41 p.m. – Michael Williams calls Missouri State Highway Patrol, Troop G, and reports that his girlfriend of three months, Tracy Robinette, left Mountain Grove, twenty minutes before his call, en route to Joplin. Williams reports that Robinette is intoxicated and possibly suicidal and has an 18 pack of beer and a small snub-nosed .38 caliber revolver with pink grips. Williams reported that Robinette left in a green minivan with a peace symbol on the back window.
- 8:49 p.m. – Greene County dispatches Deputy Matthew Keatts to check for a DWI called in by the Missouri State Highway Patrol, Troop D.
- 8:53 p.m. – Greene County dispatches that the female in the minivan is possibly suicidal and has a gun.
- 8:54 p.m. – Deputy Matthew Keatts traveling eastbound on James River Expressway observes the minivan westbound on James River Expressway traveling above the speed limit. Deputy Keatts turns around, pursues the minivan and confirms its license plate.
- While traveling behind the blue minivan, Deputy Keatts observed the minivan travel off the right lane on to the right shoulder, travel toward the left lane crossing both lanes of traffic with no signal ending up on the far left shoulder near the median and then crossing back toward the center of the roadway. Based on his training and experience these actions were consistent with that of an impaired driver. Deputy Keatts initiated a traffic stop by turning on the emergency lighting on his marked patrol car. The driver of the minivan turned on the right turn signal and pulled toward the right side of the road but stopped such that the vehicle was still positioned partially in the right lane of travel and partially on the entrance ramp of State Highway MM onto James River Expressway.
- 8:56 p.m. – Deputy Keatts stopped his patrol car directly behind the minivan and partially in the right lane of travel to provide a traffic barrier so that passing motorists would travel on the inside (left) lane.

- Deputy Keatts approached the vehicle and proceeded to the driver's side door where he located the driver, Tammy L. Robinette. Deputy Keatts requested, and signaled for Robinette to roll her window down. She did not comply with his request. Deputy Keatts was able to open the door, however, since the door was unlocked. Once Deputy Keatts opened the door, he smelled a strong odor of alcohol emitting from the Robinette's person and observed that Robinette's eyes were bloodshot and watery. Between the driver's seat and passenger seat, Deputy Keatts observed a box of beer. Deputy Keatts observed Robinette was speaking on a cellular phone. After telling her to turn off the phone twice, Deputy Keatts obtained the phone from Robinette, disconnected the call and placed the phone on the dashboard. Deputy Keatts also observed the vehicle's engine was still running and the gear shift was still in the drive position. Deputy Keatts requested that Robinette put the vehicle in park and turn the vehicle's ignition off. She responded by shaking her head and saying "no." Based on Deputy Keatts initial observations, he had reason to believe Robinette was intoxicated and if the vehicle was not quickly placed into the park position there was the potential for Robinette to attempt to apply the gas and drive off, possibly causing injury to himself or other motorists. Deputy Keatts immediately reached inside the vehicle and placed the gear shift in the park position and turned the ignition to the off position. Deputy Keatts then requested Robinette to remove her seat belt and she refused. Deputy Keatts advised Robinette he would remove the seat belt if she did not and again Robinette refused. Deputy Keatts reached inside the vehicle with his left hand disconnecting the safety belt. Once the safety belt was removed, he requested Robinette exit the vehicle. When she refused this request Deputy Keatts observed Robinette reach between the driver's seat and passenger seat with her right hand.
- Robinette's evasive movement caught the attention of Deputy Keatts and he observed Robinette raising a pink handled, silver barreled handgun in Deputy Keatts's direction. Once Deputy Keatts saw the handgun, he began retreating from Robinette's minivan while drawing his duty firearm. As Deputy Keatts was retreating, he heard a "click" which resembled the sound of the hammer of a handgun falling onto the firing pin. (Two such clicks can be heard on the audio of the stop). As Deputy Keatts continued to retreat from the minivan he fired five shots at Robinette from his duty firearm.
- 8:58 p.m. – After delivering the shots, Deputy Keatts advised dispatch that shots had been fired, one individual was down, and to send emergency medical assistance.
- Deputy Keatts then moved forward towards the driver's side door requesting Robinette to show her hands. There was no response or movement from Robinette. Trooper Adams with the Missouri State Highway Patrol arrived immediately thereafter. Trooper Adams and Deputy Keatts determined there was no longer an imminent threat from Robinette and Deputy Keatts approached the passenger side and opened the front passenger door. Deputy Keatts observed Robinette lying face down between the front passenger seat and the center console and observed Robinette's firearm on the passenger floorboard in close proximity to Robinette's hand. Trooper Adams checked Robinette and found that she was deceased.

- Deputy Keatts account of the stop and the shooting are confirmed by his patrol car's dash camera.
- Later investigation revealed that on October 4, 2011, Michael Williams was concerned about Robinette's drinking and her access to her firearm so he had unloaded the gun and hidden it in a box in the closet. Williams then left the residence for a period of time. When Williams returned Robinette was gone and she had found the pistol and taken it with her. Williams talked with Robinette on the phone after she left and she told him, "But any cop that pulls me over, I'm going to wave my gun at and shoot." After she hung up, Williams called law enforcement to notify him of his concerns.
- Later investigation revealed that Robinette was speaking on her cell phone with Pam Campbell at the time of the traffic stop by Deputy Keatts. Based upon her speech, Campbell believed that Robinette had been drinking. Campbell stated that Robinette told her she was on the highway and had been pulled over by a cop. Robinette then told Campbell, "I have a gun and I'm not letting him take me in." Robinette repeated this statement a second time and Campbell told her she did not want her to do that, and asked Robinette to think of the officer and his family. Campbell reported that Robinette did not answer her, that she heard a male voice and then lost the phone connection.
- The autopsy confirmed that Robinette died as a result of a gunshot wound to the head and that four of five of Deputy Keatts shots struck Robinette. Robinette's blood alcohol level of .225 was close to three times the legal level specified as driving while under the influence -- .08.

Applying the Missouri Criminal Code, as well as case law, to the facts of this case, the officer exercised force which he reasonably believed to be necessary to prevent serious physical injury or death to himself.

There will be no further action by this office in regards to the conduct of the officer in this case.

By:

A handwritten signature in black ink that reads "Dan Patterson". The signature is written in a cursive, flowing style.

Dan Patterson
Prosecuting Attorney