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Defense acts out theory of killing in Camas woman's trial

Westby claims self-defense in husband's death

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(Amanda Cowan/The Columbian files)

In a last-minute decision, [Stephanie “Sam” Westby chose not to take the stand Tuesday](#) in her bench trial for domestic violence murder and assault.

After announcing she would not testify after all, the defense rested its case following [six days of trial testimony](#).

Westby, 51, is [claiming self-defense in the Sept. 15, 2019, fatal shooting](#) of her husband, Joe Westby, at their Camas home.

The last defense witness Clark County Superior Court Judge Nancy Retsinas heard from Tuesday was a private forensic scientist.

After analyzing scene and autopsy photos, state crime lab reports and other evidence in the case, Kay Sweeny gave his theory on how the shooting happened. He also reenacted what he believes was the couple’s positioning during the shooting.

Sweeny said the crooked mattress in the master bedroom indicated the couple physically struggled there. The fact Sam Westby’s hair was found in Joe Westby’s hand suggests he’d pulled her hair out. Photos showing Sam Westby’s shirt stretched out meant, according to Sweeny, that Joe Westby pulled on her shirt.

Sam Westby suffered a split lip during the close-quarters struggle, Sweeny said.

In a demonstration for the judge, Sweeny stood in as Sam Westby, and defense attorney Steve Thayer portrayed Joe Westby.

Thayer positioned himself in accordance with Sweeny’s theory that Joe Westby had one hand in Sam Westby’s hair and the other gripping the side of her shirt. That’s when Sweeny demonstrated how he believes Sam Westby reached around and shot her husband in the back.

Joe Westby then began to pull away, Sweeny said, and Sam Westby positioned the gun between them and fired a second shot into his chest, near his armpit.

Sweeny said his theory explains why one shell casing was found in the corner of the room, near the foot of the bed, and the other was trapped in the breech of the gun. He said he believes when Sam Westby fired the second shot between them, her body blocked the handgun’s slide, trapping the casing inside.

Sweeny’s theory doesn’t account for whether the couple were standing, on the ground or kneeling, he said.

He theorized the blood trail from the master bedroom and down the stairs showed Joe Westby was headed to the kitchen for treatment when he collapsed at the bottom of the staircase.

Experts differ

During cross examination, Senior Deputy Prosecutor Toby Krauel noted a different defense expert testified that Joe Westby was first shot in the chest and then the back, as he turned away from Sam Westby.

Krauel said the only physical evidence of a struggle in the bedroom was the mattress being slightly displaced. He also noted Sam Westby had minor injuries.

The trial is scheduled to continue Wednesday with the state's rebuttal witnesses. Closing arguments are scheduled for Thursday morning.

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