

Smith: Mother will serve a minimum of 40 years in prison

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Jessica Smith, 42, who could have faced the death penalty, will serve a minimum of 40 years in prison, according to a plea agreement reached during settlement talks.

The Vancouver, Washington, woman entered Alford pleas last week to aggravated murder and attempted aggravated murder. An Alford plea is a guilty plea from a defendant who proclaims their innocence, but admits the prosecution has enough evidence to prove they are guilty.

A trial next summer was canceled after Smith pleaded to her crimes.

"Our life stories diverge from this point forward, and I'm looking forward to joy and peace," Gregory Smith said.

Gregory Smith was joined in the courtroom Thursday by Alana Smith. Before speaking, he played a video montage of 2-year-old Isabella Smith. The montage included pictures and short videos of Isabella playing on the beach and sitting with a coloring book.

"I think of Isabella every day, and when the image of her sweet face hits me I'm inspired," Gregory Smith said.

Jessica Smith did not speak at her sentencing. While being led out of the courtroom, she nodded to the judge and quietly left.

Earlier this month, Judge Cindee Matyas allowed a video confession to be played at trial. In the recording, Smith admits to drowning her 2-year-old daughter. "The intention was to drown her and end her misery," she said.

Isabella Smith died of asphyxiation by drowning, according to the state medical examiner. A high level of over-the-counter antihistamine sedatives were found in the toddler's system.

Judge Julie E. Frantz, who presided over the settlement conference and sentencing, told Smith the horrific crimes seemed inconsistent with her past as a loving friend, sibling and caregiver.

"You will spend the rest of your life with the knowledge that the inconceivable has



Beth Nakamura/The Oregonian

A video of the victim, Isabella, is played for the court while Jessica Smith turns away, never looking at the screen. Jessica Smith was sentenced Thursday to life in prison with a minimum of 30 years for aggravated murder and a consecutive 10 years for attempted aggravated murder. Her ex-husband, Gregory Smith, spoke at the sentencing in Clatsop County Circuit Court. Their surviving daughter, Alana Smith, 15, was also present.

occurred and you are responsible for unimaginable tragedy," Frantz said.

Crime scene

After murdering her toddler and wounding her teenager on July 31, 2014, Smith abandoned the hotel room the next morning.

Notes left by Smith give some idea of the reasons behind her actions.

"Alana and I wanted to opt out of life, and also spare Isa's little life from being bullied and abused, and Alana chose opening her veins," Smith wrote.

Smith indicated that she planned to kill herself, but she wrote she did not have the "time or strength after assisting Alana." She also wrote, "baby didn't suffer as she fell asleep in the water."

Smith gave Alana a double dose of sleeping medication and put over-the-counter dental gel on her neck before cutting her.

"This wasn't a spontaneous act," District Attorney Josh Marquis said. "She bought the razor blades in advance. She bought the over-the-counter gel."

Housekeeping staff could

hear Alana slipping and falling, and called 911 the morning of Aug. 1, 2014, to report a disoriented female.

Cannon Beach Police Chief Jason Schermerhorn and Cannon Beach Assistant Fire Chief Frank Swedenborg were the first to respond to room 3302 in the Surfsand Resort.

They found Alana on the bed next to her dead sister. Alana had been bleeding profusely from cuts on her neck and wrists.

Alana, who was flown to a Portland hospital, told medical staff she believed her mother was going to the forest to kill herself.

After a three-day search, a U.S. Coast Guard helicopter crew spotted Smith near her gold 2007 Chevy Suburban on a heavily forested logging road about 15 miles east of Cannon Beach.

A Clatsop County Sheriff's Office detective and FBI special agent drove an SUV down forest roads to arrest Smith, who appeared unharmed and in remarkably good shape.

"She was frankly more concerned about her makeup than

what had happened to her children," Marquis said.

Custody battle

Alana Smith, now 15 and living with family in Washington state, told medical staff her mother helped her cut her own throat and drowned her sister because they did not want to live with her father, and they "just wanted to get out of it."

Smith convinced Alana that she somehow participated in the crimes, which is absolutely not true, Marquis said.

Jessica and Gregory Smith separated in April 2014. After the separation, Smith and her daughters moved from Goldendale, Washington, to Vancouver, Washington.

The girls' father filed for divorce in June 2014 and sought a custody evaluation less than two weeks before the murder.

Smith filed a restraining order and challenged her ex-husband's custody rights. She had full custody at the time because Gregory Smith was working two jobs as a radiology supervisor. She was supposed to return the children to her ex-hus-

band the day they were discovered in the hotel room.

"She was supposed to give one day of visitation and that was apparently too much," Marquis said.

Mentally competent

In the video confession, Smith said she and Alana were terrified of her ex-husband. Rather than bring the children back, Smith made the specific plans to drug her daughters and used razor blades to cut Alana's throat and wrists. She described her ex-husband as a passive-aggressive bully. She researched if he was a sociopath or a psychopath. "I needed to find out what he — what it was he was doing to my mind because I was just going to this insanity circle where I couldn't reach him," she said in the video.

Smith's defense lawyers William Falls and Lynne Morgan previously described her as having a mental breakdown. The lawyers claimed Smith was unable to aid and assist in her own defense.

Judge Matyas found reason to doubt Smith's mental fitness

after a suicide attempt in jail in March and an inconclusive report from a court-appointed psychologist.

After a monthlong stay at the Oregon State Hospital, Smith was found mentally competent.

Marquis described Smith as a narcissist.

The district attorney, a proponent of the death penalty, said he was willing to forgo capital punishment in this case in order to get a resolution that spares the surviving daughter from having to testify at trial.

In addition, Marquis said, death penalty cases often go on for decades with appeals.

Smith waived her right to appeal the conviction as part of her sentence.

Wake the World

Tami Oppliger, Gregory Smith's cousin, had temporary custody of Alana Smith immediately following the incident.

Oppliger, and her husband, Gerry Oppliger, are avid boaters and would take Alana on the Columbia River near their home in Camas, Washington.

"Having Alana temporarily with us, boating was a big part of our healing," Tami Oppliger said.

The Oppligers decided to create their own boating event through Wake the World, a nonprofit that provides water sports to foster families.

On Isabella Smith's birthday in July, boaters gather on the Columbia River to take foster children and their families on the water. This year, about 25 boats and 350 people came to the event.

"When we talked about memorializing Alana's sister, Isabella, we tried to figure out something positive to move on with, and that's why we came up with Wake the World," Tami Oppliger said.

Alana Smith and her father attend the Wake the World events. Alana plays on the dock, helps serve food and has fun like a typical 15-year-old girl. "I'm very proud to witness Alana's discovery of a world that has the potential for love, friendship and possibility," Gregory Smith said. "She is the best thing in my life. I'm excited for what the future holds for us."

September 10, 2016

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