

# Jackson sentenced to 24 years in connection with brother's murder

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## Justice for Jake Millison

By Mark Reaman

*(Editor's Note: While the name is pronounced Stephanie, district attorney Dan Hotsenpiller confirmed that Ms. Jackson's first name is spelled Stephaine.)*

"That was a most interesting case and one about which we'll probably never know the entire truth."

That was the comment made by Seventh Judicial District attorney Dan Hotsenpiller as he walked out of the courtroom and down the hallway of the Gunnison County Courthouse Friday afternoon after Stephaine Jackson had been sentenced to 24 years in a Colorado prison for tampering with a deceased human body, with aggravated circumstances.

Jackson is the 35-year-old sister of Jacob Millison, the man who was shot in the head and killed on a ranch east of Gunnison in 2015. His mother, Deborah Rudibaugh, had confessed to the killing and was serving time in prison when she died two days before Jackson's sentencing.

Prosecutors and law enforcement believed that Stephaine and her husband, David Jackson, had been an integral part in Jake's killing. The motive was to inherit the 7-11 Ranch near Parlin. Stephaine was originally charged with a number of felony counts, including first-degree murder. But a plea agreement reached in September reduced the charges to the single tampering count. As part of the plea agreement, her sentence was stipulated to be between 16 and 24 years in prison.

During the two-hour sentencing proceeding on Friday, November 8, Hotsenpiller and prosecutor Jessica Waggoner made the argument to District Court judge Steven Patrick that Jackson at the very least influenced her mother to change her will to leave the ranch to her, and then pushed Rudibaugh to harm her brother.

Hotsenpiller admitted getting a conviction on a first-degree murder charge would be difficult. "The challenge for the prosecution in proving the first-degree murder charge was that we did not have direct evidence of communications between Stephaine Jackson and Deborah Rudibaugh prior to the murder, in which killing Jake was discussed," he explained. "There was strong circumstantial evidence that showed that but for Ms. Jackson's 'head

games' with her mother, Ms. Rudibaugh would have never murdered Jake. The prosecution had no direct evidence of a statement or communication between mother and daughter planning the murder."

At the sentencing hearing, Hotsenpiller repeatedly used Jackson's words and Facebook posts to show that she told her friends around the time of the murder that "something big was happening for the Jackson family..."

"That big thing was winning the lottery and getting the will changed to inherit the ranch," said Hotsenpiller. "The greed and malice is patently obvious here. It is a tough case but the court knows of the aiding and abetting and encouraging of Deborah before the murder... And we know based on compelling facts that Ms. Jackson knew of Jacob's death immediately and said after the killing that 'Now I can do what I moved up here to do...'"

Hotsenpiller reiterated that when Jake's body began to appear in the manure pile on the ranch where he was originally buried years after he was shot in the head, Jackson told those around her that they had to keep that quiet and not go anywhere.

"What a moment. To see the body and the reaction is not to call somebody but to hide it. To not tell anyone and instead, rebury it," Hotsenpiller said. "This is an aggravated case... Ms. Jackson participated in this one way or the other... She involved others and has caused unimaginable injury to [her own] son ... This is an aggravated case and [with how she treated her brother] showed a complete failure to respect the dignity of life."

Stephaine Jackson's lawyers read portions of several letters that urged Patrick to be lenient in his sentencing. They described her as a loving and caring mother, a solid neighbor and a good person who reacted badly to the situation. One of her attorneys, Daniel Lavrishatold the court that while there was no physical abuse in the family when Stephaine was growing up, there were loud arguments and screaming matches between her parents. Lavrisha gave a PowerPoint presentation that argued if there was strong motive for someone to kill Jake it was Stephaine's husband, David Jackson, who did not get along at all with Jake. David is serving a 10-year sentence in Cañon City for tampering with a deceased human body.

"The point here is the distinction between the two cases is not enough to warrant a 10-year sentence for David and 24 years for Stephaine when they pled to the same charge and exhibited the same conduct," Lavrisha argued in support of the low end of the sentence. "I will remind the court Stephaine Jackson is not being punished for being convicted of murder or even accessory to murder. She is being punished for tampering."

Stephaine's other attorney, Abigail Kurtz-Phelan, argued that Stephaine was not responsible for Jake's death. "That person was Deborah Rudibaugh and she is now also dead. What happened to Jake Millison was a tragedy. It was horrific. Nothing can bring him back."

Kurtz-Phelan said the prosecution argument that Stephaine was complicit in the murder

was based on conjecture. She also argued that even if given the low end of the 16-year sentence, Stephaine's son would be an adult in his late 20s when she was released, a hardship for the entire family.

Jackson herself read a statement to the court. She apologized to her father and family "and anyone affected by my mother's heinous actions. Jake was blessed to have friends that didn't give up on the search for him."

She said she wasn't involved in the murder but was guilty "of believing the lies my mother told everyone for two years. I admit I didn't follow my instincts. I didn't call the police when I should have. When confronted, I panicked and lied to the police. Jake and I didn't have a good relationship but that didn't mean I wanted harm to come to him...."

"My conduct and messages to friends and on Facebook were insensitive and immature. I acted childish and am truly sorry for that... All I can do is apologize for the actions that brought pain to others. I am dedicated to do anything I can to make my family heal," Jackson continued.

Prosecutor Jessica Waggoner had the last word and placed the blame for the situation back on Stephaine. "Stephaine Jackson put a train in motion that put us here today," she told the court. "She said on Facebook she was going to play head games with her family and she certainly did that. There's a lot of talk about accountability but there has been zero."

Waggoner argued there was a big difference between Stephaine's actions and David's. She said Stephaine's acts were intentional and she was in control. She said that Jacob won't have a chance at his future and didn't even have the chance for a funeral, because of Stephaine's intentional acts.

After a short break judge Steven Patrick explained his reasoning for the sentence he was about to impose and at times appeared emotional. He said the circumstances of the case supported an aggravated sentence. He said he saw differences between Stephaine's and David's actions throughout the situation. He was struck by the posts found on Facebook shortly after the murder took place, and especially when Stephaine posted that "Big things are about to happen for the Jackson family." He was also struck by the action to rebury the body from the manure pile to another place on the ranch instead of calling authorities.

Patrick said the pre-sentence reports suggested the sentence should be on the high end at 24 years. He commented that while he appreciated that people felt Stephaine was a good mother, he was "troubled" by some of her statements and actions he saw as intentional. He said, given all these concerns, he sentenced her to the Department of Corrections for a period of 24 years with credit for time served of 619 days.

Jackson will spend her time in the Colorado Department of Corrections prison system.

