

# Morales trial set to begin Sept. 2018

## The Marion County man accused of murdering witness could face death penalty

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Almost three years after the body of a Woodburn woman was discovered on a rural road near Interstate 5, the man accused of murdering her is scheduled to stand trial.

During his September 2018 trial, Saul Octavio Morales, 29, could be facing the death penalty, according to court records.

If convicted and sentenced to death, he would become Oregon's 35th person on death row.

Morales, a former Salem and Hubbard resident with a rap sheet stretching back to 2007, is accused of shooting and killing Brenda Bautista, 36, who witnessed one of his earlier crimes and testified against him, contributing to his conviction.

A passerby discovered Bautista's body on Pirelli Lane NE near Donald in October 2015. An autopsy revealed she'd be shot multiple times and left to die on the rural gravel road.

The Marion County Sheriff's Office began investigating Bautista's death as a homicide.

A year later, their investigation led them to arrest Morales.

Morales first recorded run-ins with the law began in 2007, when he allegedly tried to punch a rival gang member in the face during a court hearing in Canby. According to an article by The Oregonian/OregonLive, Morales, a gang member who went by the street name "Vicious" was arrested for disorderly conduct.

Court records indict several other of his crimes were gang-related, including trespassing and unlawful use of a weapon.

In 2008, Morales was convicted of resisting arrest and sentenced to 30 days jail. Forty-five days later, he threatened five people in Marion County with a gun. He was arrested and convicted of unlawful use of a weapon and five counts of recklessly endangering another person.

Bautista testified before a grand jury as a witness to the crime.

The conviction led to a five-year prison sentence for Morales — more than a year of which he spent in disciplinary segregation for multiple acts of misconduct.

Shortly after his release, Morales was arrested again on gun and methamphetamine possession charges during a Yamhill County drug sting and was sentenced to another two years in the Oregon De-



Morales



Brenda Bautista

partment of Corrections. In 2016, a domestic violence conviction, during which Morales assaulted his girlfriend in front of her young child, led to his most recent 18-month prison sentence at the Oregon State Penitentiary.

Between his time in prison, Morales allegedly found Bautista and murdered her.

Marion County detectives searched for Bautista's killer for months before a warrant was issued for Morales arrest on Oct. 20, 2016.

He was charged with murder with a firearm, which if convicted, could lead to a sentence ranging from 25 years to true life in prison.

One month later, prosecutors filed a motion to have the murder charged dismissed. The same day, Morales was arraigned on a new charge of aggravated murder for killing Bautista.

Those convicted of aggravated murder face sentences of life in prison with the possibility of parole after 30 years, true life in prison or the death sentence.

Under Oregon law, only certain homicides can be charged as aggravated murder. Crimes such as murder for hire, paying someone to commit murder, killing multiple people, torturing or intentionally maiming a victim during a homicide and murdering a child under the age of 14 can qualify as aggravated murder.

Those suspected of killing someone employed or participating in the justice system, such as a police officer, judge, juror or witness in a criminal proceeding can also be charged with aggravated murder.

Other qualifying factors include murder by explosive, murder while imprisoned and murder to conceal a crime.

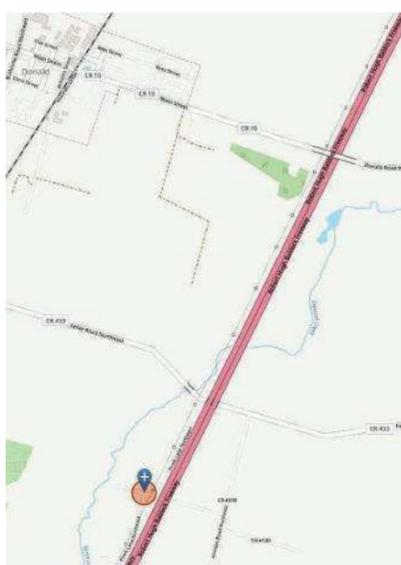
According to Marion County court records, the state was almost complete with its death penalty phase investigation in Morales' case. Earlier records indicate the district attorney was still in process of reviewing whether to pursue the death penalty.

Prosecutor Nicole Theobald gave written notice of the state's intent to seek a higher than normal sentence for Morales. According to the notice, Morales' incarceration was necessary for public safety. Theobald also cited his repeated history of misconduct while incarcerated.

Morales is currently facing aggravat-



Marion County Sheriff's deputies on scene where Brenda Bautista's body was found near Donald. MARION COUNTY SHERIFF'S OFFICE



The body of Brenda Bautista, 36, of Woodburn, was discovered on a rural gravel road near Donald. OPENSTREETMAPS

ed harassment charges for spitting on a nurse at the Two Rivers Correctional Facility. In a declaration to the Umatilla County court, defense attorney Steven Gorham said he, David Glenn and Geoff Gokey had been appointed to handle Morales' death penalty case.

No Oregon inmate has been executed since 1997. In 2011, then-Gov. John Kitzhaber placed a moratorium on all executions. After taking office, current Gov. Kate Brown upheld the moratorium and made her personal opposition to the

death penalty clear.

When Kitzhaber placed a moratorium on death sentence executions, inmates wanting to drop appeals and be executed were left in a waiting game.

Between 1904 and 1997, 60 men were executed by hanging, gas or lethal injection, but only two executions took place after 1962. Both men executed in the 1990s had given up their appellate rights.

Since he began his time as Marion County's District Attorney, Walt Beglau said 21 aggravated murder cases have been tried in the county. Of the 21, evidence for a death sentence has only been presented in seven cases.

In November 2016, David Bartol, 46, was sentenced to death for stabbing and killing another inmate while incarcerated at the Marion County jail.

After the jury delivered their death sentence verdict, Gorham, who also served as Bartol's attorney, said the prolonged trial wasted more than \$1 million.

"That money should've been spent on something more positive than trying to kill David Bartol," he said.

Morales' trial is scheduled to begin Sept. 10, 2018.

Capital murder cases are divided into two phases. If the state decides to seek the death penalty and a jury convicts Morales of aggravated murder, the jury will enter a second, penalty phase to determine whether he should be sentenced to death.

For questions, comments and news tips, email reporter Whitney Woodworth at [wmwoodwort@statesmanjournal.com](mailto:wmwoodwort@statesmanjournal.com), call 503-399-6884 or follow on Twitter @wmwoodworth



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