

'Peace and closure' delayed for family of murdered Salem mother, son

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The family of a Salem woman and her son who were kidnapped and murdered more than two years ago expressed their frustration in a hearing as the trial for the man accused of killing them was delayed again.

"My sister and my nephew lost their lives. The [Oregon] Supreme Court had ruled, and I don't understand why (the defense) are continuing with what seems like games to me," Katrina Kent said over the phone at the hearing in Yamhill County Circuit Court.

Karissa Fretwell, 25, and her son Billy, 3, vanished from their West Salem apartment May 13, 2019. Their bodies were discovered June 15 in a heavily-wooded area in Yamhill County.

Michael Wolfe, now 53, of Gaston, was arrested and charged in connection to their murders.

On Monday, the court agreed to postpone Wolfe's December trial due to an ongoing legal argument between prosecutors and defense attorneys over whether he should be eligible for the death penalty.

Judge Cynthia Easterday set a status check for Sept. 20, but didn't set a new trial date.

Karissa's mother, Nyla Bales, appeared in court and Karissa's sisters were present over the phone.

"I'd really like to find peace and closure with the situation ... none of us have been able to do that yet because it just keeps dragging out," Kent said.

Monday's hearing was prompted by a motion filed by Wolfe's defense team on June 22 arguing to postpone the December trial due to legal uncertainty surrounding Wolfe's aggravated murder charge for killing Billy. The charge would make Wolfe eligible for the death penalty, if convicted.

Wolfe initially faced an additional aggravated murder charge for Karissa's death until it was dismissed and replaced with counts of first-degree murder and first-degree murder constituting domestic violence following the 2019 passage of Senate Bill 1013 — a law narrowing the scope of the death penalty.

The legal fight has been over whether the aggravated murder charge for Billy should be removed due to the new law as well. Most recently, the Oregon Supreme Court reversed Yamhill County court's decision to revoke the aggravated charge and sent the case back to the circuit court to continue proceedings.

Wolfe's attorneys then announced they would ask the state's Supreme Court to reconsider the ruling, which prevents the case from returning for further proceeding in the Yamhill County court. The defense's response is due July 15.

On Monday, Wolfe's attorneys argued it's still unclear whether Wolfe will be facing an aggravated murder charge and say it will likely be months rather than weeks for the state's Supreme Court to make its decision.

"I know that can be frustrating to the court, the prosecution and to people that have an interest in the case," defense attorney Patrick John Sweeney said. "When it's a capital case, it just takes longer to do everything."

Sweeney said it would be difficult to



Karissa Alyn Fretwell, 25 of Salem, and her three-year-old son, William "Billy" Fretwell. PROVIDED BY SALEM POLICE DEPARTMENT



move forward with the case until the state's Supreme Court returned its decision.

"The motions that we'd be doing ... if we did them as a capital case, they'd be fundamentally different than if we did them as a non-capital case," Sweeney said. "If we move forward incorrectly, we just come back to square one."

Karissa Fretwell's cause of death

Karissa and Billy were last seen May 13, 2019.

Karissa, who lived in West Salem, worked as a security guard and was studying to become a teacher at Western Oregon University. She had full custody of Billy.

Detectives said records from her phone indicate she and Wolfe were together overnight May 13.

Karissa had recently taken Wolfe, her former co-worker, to court over child support. She had once worked as a security guard at Cascade Steel Rolling Mills in McMinnville, where the married Wolfe worked as a supervisor.

When contacted by investigators, Wolfe told police the child support hearing "did not go well" and he was ordered to pay \$900 dollars a month.

Wolfe also disappeared briefly, and Salem police listed him as a wanted man and searched his rural home in Gaston and another property near Hopewell.

Wolfe was taken into custody May 24 at Blue Star Donuts in Portland.

Karissa's and Billy's bodies were discovered June 15 in a heavily-wooded area in Yamhill County.

Karissa's cause of death was determined to be from a single gunshot wound to the head. Billy's cause of death has not been released.

Aggravated murder charge

Wolfe was initially charged with two

counts of aggravated murder.

The aggravated murder charge for Karissa's death was dismissed and replaced with counts of first-degree murder and first-degree murder constituting domestic violence after Senate Bill 1013 went into effect in September 2019.

The law narrowed Oregon's use of the death penalty by whittling down the number of crimes that qualify as aggravated murder — the only offense punishable by death.

Previously, 20 circumstances made homicide qualify as aggravated murder. Now, there are four:

- Terrorist killings of two or more people.
- Premeditated murder of police officers.
- Murder committed in a prison or jail by someone who was already convicted of murder.
- Premeditated murder of a child under the age of 14.

In November, Wolfe's attorneys filed a motion to dismiss the lone aggravated murder charge for killing Billy. Defense attorney Dianna Gentry argued that it violated state and federal ex post facto laws.

An ex post facto law is a law that retroactively changes the punishment for actions committed before the enactment of the law.

Judge Easterday ruled the charge did not violate ex post facto law.

Wolfe's attorneys tried again — this time, arguing to dismiss the charge based on a different aspect of SB 1013, which eliminated a portion of the previous aggravated murder law that required prosecutors to prove a defendant's "future dangerousness" to obtain a death sentence.

Previously, to obtain a death sentence, 12 jurors would have to answer yes to the following questions:

- Was the murder committed deliberately?

• Was the killing unreasonable in response to the provocation, if any, by the deceased?

• Is there a probability that the defendant would commit criminal acts of violence and be a continuing threat to society?

• Considering all mitigating and aggravating circumstances, should the defendant receive a death sentence?

In February 2020, the state conceded that sentencing Wolfe under SB 1013 would violate ex post facto law, but said the dismissal of the charge was not the "appropriate remedy."

Ultimately, Easterday ruled to drop the remaining aggravated murder charge for killing Billy in an opinion filed March 2.

But about a month later, Yamhill County District Attorney's office filed an appeal on Easterday's ruling in the Oregon Supreme Court in pursuit of the death penalty, delaying the criminal case for about a year.

On May 6, the Oregon Supreme Court released an opinion reversing the dismissal and sending the case back to Yamhill County.

First-degree murder carries a sentence of life in prison with the possibility of parole after 30 years. But the court may sentence a murderer to life without the possibility of parole if the judge states the reasons for imposing a true life sentence.

'They're ready to move forward'

Currently, Chief Deputy District Attorney Kate Lynch said Wolfe's charges have reverted back to what they were in the amended indictment in October of 2019:

- Aggravated murder.
- Two counts of first-degree murder.
- Two counts of first-degree murder constituting domestic violence.
- Two counts of first-degree kidnapping.

Lynch acknowledged it would be difficult to proceed in the case with uncertainties, but said the reason for the state's objection was on behalf of Karissa and Billy's family.

"(The family's) input is just that they're ready to move forward," Lynch said. "Their input is still their input to give and so I'm objecting on their behalf."

Jayne Downing, executive director of the Center for Hope and Safety, said trial delays take a toll on everyone involved, not just family members and friends of victims but prosecutors and district attorney's offices, too.

Downing has been leading the agency that assists survivors of domestic violence, sexual assault, stalking and human trafficking for more than 24 years.

"The surviving family members I've worked with over the years, it's just heartbreaking for them to have it go on so long and to have things change and to not feel like they have that closure," she said.

Statesman Journal reporters Capi Lynn and Whitney Woodworth contributed to this story.

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SPORTS BRIEFS

Source: Panthers' Moton agrees to 4-year, \$72M extension

CHARLOTTE, N.C. — The Carolina Panthers have agreed to a four-year, \$72 million deal with offensive tackle Taylor Moton, narrowly beating the deadline to sign players with the franchise tag to a contract extension, according to a person familiar with the situation.

The deal includes \$43 million in guaranteed money. The person spoke to The Associated Press on Thursday on condition of anonymity because the team has not yet announced the contract.

Moton has started all 16 games in each of the past three seasons at right tackle and has been the team's top offensive lineman during that span.

Panthers running back Christian McCaffrey took to Instagram after the news came out, posting "It's an honor to continue the journey with you brother! Well deserved! #Year5"

The new contract will ostensibly keep Moton with the Panthers through the 2025 season as it comes in addition to the \$13.7 million he was expected to make next season as the Panthers' designated franchise player.

The deal was reached about an hour before the 4 p.m. league-wide deadline for signing franchise players to long-term deals.

Now the big question becomes whether the Panthers will consider transitioning Moton over to left tackle, something the team has considered but has not moved on. Moton continued to work at right tackle during OTAs and minicamp, but the team did draft Brady Christensen in the third round and he has been working at right tackle as well.

The deal is the highest ever for a Panthers offensive lineman.

A second-round pick in 2017, Moton has never missed a game during his four seasons with Carolina. He was a reserve as a rookie, but stepped in as a full-time starter in 2018 and has been a mainstay at right tackle ever since.

Jets, Maye unable to reach long-term deal by deadline

NEW YORK — The New York Jets and Marcus Maye were unable to reach an agreement on a long-term contract Thursday, so the star safety will play this season under his franchise tag tender.

The sides had until 4 p.m. to work out a deal, per NFL rules. Maye will make \$10.6 million this season and is eligible to become an unrestricted free agent next offseason.

The Jets could try to work out a long-term deal after the season or allow Maye to explore free agency. New York could also opt to use the franchise tag on Maye again, preventing him from becoming a free agent for one more year — which would likely cause more tension between the sides.

The 28-year-old Maye signed his franchise tag tender in March and the sides had some talks during the offseason, but couldn't get a deal done.

Chicago wide receiver Allen Robinson, New Orleans safety Marcus Williams, Jacksonville offensive tackle Cam Robinson, Tampa Bay wide receiver Chris Godwin and Washington guard Brandon Scherff also received franchise tags and were unable to come to agreements on long-term deals with their teams by the deadline.

Maye was drafted by the Jets in the second round out of Florida in 2017 and has been a steady playmaker and leader for New York. General manager Joe Douglas said in January that Maye's contract situation would be a top priority for the team this offseason.

The safety reported for the team's mandatory minicamp in June, but declined to speak to reporters. So it was uncertain whether Maye was optimistic — or otherwise — about a deal getting done with the Jets.

Maye was the first Jets player to be tagged since Muhammad Wilkerson in 2016. Unlike Maye, Wilkerson signed a long-term contract later that offseason.

Maye is expected to team with veteran Lamarcus

Joyner, a free agent signing in March, as New York's starting safeties this season. Maye's versatility has made him a valuable part of the secondary, including playing in coverage and close to the line of scrimmage — taking over the role previously held by Jamal Adams. That makes him an ideal fit in the defense of coach Robert Saleh and coordinator Jeff Ulbrich.

Maye, voted the Jets' MVP by his teammates last season, had 78 tackles, two interceptions, two sacks, two forced fumbles, a fumble recovery and a team-leading 11 passes defended. A team captain, the safety has six career interceptions, 22 passes defended and 257 total tackles.

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