

# Drunken driver who killed Astoria grad gets 135 years to life

## Biddle and his son died in crash

By NATE GARTRELL  
East Bay Times

MARTINEZ, Calif. — After an overwhelmingly sad court hearing in which family members memorialized two men and two boys who were killed in a 2017 drunken driving crash, a judge gave the driver a sentence that virtually guarantees he will die in prison.

Fred Lowe, 49, was sentenced to 135 years to life Friday for the murders of Daryl Horn, 50; his 14-year-old son, Joe Horn; Daryl's brother-in-law, Troy Biddle, 52; and Troy's son, Baden Biddle, 13.

Troy Biddle was a Seattle attorney who graduated from Astoria High School in 1983.

Lowe had no connection to the victims; he simply swerved his car into theirs, causing it to flip over a center divider and wreck, after he allegedly consumed 13 alcoholic drinks.

The lone survivor of the SUV was the driver, Daryl's son, Jared Horn, a well-

known college baseball player at University of California, Berkeley.

Lowe was convicted of murder, driving under the influence and hit and run in March, after a jury trial.

"This sentence has to stand for something," said Amanda Horn, who lost four members of her family in the crash. She is Troy's widow, Baden's mother, Daryl's sister and Joe's aunt. She added that the judge should "send a message" to all Californians about the consequences of drinking and driving.

Lowe's attorney had asked for a sentence of 15 years to life, saying Lowe had a history of alcoholism from a young age and mental illness. The prosecution asked for 125 years to life, saying Lowe needed to be kept "off the streets forever."

"If he's going to be an alcoholic, just go do that," Deputy District Attorney Derek Butts said. "The problem is the driving."

Lowe's case was the source of outrage all over the Pacific Northwest; around 1,500 people attended memorials for the victims in Washington state and Oregon — where Daryl

and Troy are from — as well as the Bay Area.

Lowe, a Sacramento resident, had multiple prior driving under the influence convictions and seven felony convictions, and had his license suspended numerous times.

Three family members of the victims spoke before sentencing, including Daryl and Troy's widows, but dozens of loved ones packed the courtroom. They read a poem by Baden's sister, recounted memories of happy times and tried to get Lowe to acknowledge them, but he stared straight ahead.

Denise Horn — who is Daryl's widow, Joe's mother, Troy's sister-in-law and Baden's aunt — said she could still close her eyes and have vivid memories of her son, like staring into his eyes or the first time she ever held him. She said she would forever keep him in her mind.

"That's where he lives now; he'll always be there," Denise said.

Daryl, she said, "was the one person on this world that was made for me, and I was made for him." She said the constant pain "will only end when I end."



Baden and Troy Biddle

Amanda Horn recounted meeting Troy in law school, and how they both knew on some level they would eventually be married. Troy was "a constant problem solver," and "the one constant in my life," and a great father. Baden, she said, aspired to get a scholarship for college and eventually represent the United States in the Olympics. She said his mottos were: "Do something. No excuses. Ownership."

Nearly everyone in the courtroom, including the judge, shed tears as she spoke.

The crash occurred on Interstate 80 in San Pablo, as the Biddle and Horn families were driving back from

an annual basketball tournament. Troy's last text to his wife was: "It was awesome. Baden will want to come down every year now." About 20 minutes later, the crash happened.

Before she finished speaking, Denise asked Lowe to look at him, but he ignored her. She continued with her statement.

"I do not wish you death, I do not wish you any pain," she said. "I'm sure you would take that night back if you could. ... But you should be in prison for life. I think you know that."

Lowe briefly bowed his head and wiped his eyes as Denise said those words.

Todd Biddle, Troy's brother, talked about a family road trip to watch a college football game in Eugene, and how Baden eagerly talked about all his Saturday picks on the way up. He read something his brother had written about grief, that scars are tougher than the tissue they are replacing, but that they always remain.

"Forgiveness does not make the cut in this situation," he said. "I vote, no more chances."

Sung Ae Choi, Lowe's attorney, said that her client's actions were "mitigated" by the fact that he had been a lifelong alcoholic and suffers from mental illness. She said he encountered serious hardships throughout his life, but did not describe them.

"I think it is unfair to say my client has not contributed to society and to his family," she said.

Judge John Kennedy said he was imposing the harsh sentence because there were four victims, and the defendant had numerous chances to stop endangering other drivers. He said the defendant had displayed no remorse, had violated parole seven times and racked up a total of 15 misdemeanor and felony convictions over the years, including assault, robbery and five driving under the influence ones.

"The DMV suspended his license 11 times. .... That did nothing to stop him from driving. He didn't even attempt to reinstate his license; he just kept driving," Kennedy said.

Lowe declined to make a statement before he was sentenced.

# Suspect in deputy's death is the brother of a cop killer

By ALEX BRUELL  
The Daily News

LONGVIEW, Wash. — Authorities have identified the man who died in an officer-involved shooting Sunday night as Brian Dee Butts, of Longview.

Butts, 33, is believed to have shot and killed Deputy Justin DeRosier Saturday night along Fallert Road in Kalama.

Butts is the brother of Daniel Armaugh Butts, who recently was handed a life sentence with a minimum of nearly 49 years in Oregon prison for the fatal shooting of Rainier Police Chief Ralph Painter in January 2011.

If further investigation confirms that Brian Butts killed DeRosier, it will mean the two brothers will have been responsible for the only on-duty police killings in the local area in more than 70 years.

Brian Butts has a lengthy criminal history.

In other developments in the DeRosier shoot-



Flowers left outside the Hall of Justice.

Alex Bruell/The Daily News

ing, Cowlitz County Superior Court Judge Michael Evans on Monday found probable cause to hold Matthew Veatch, 25, who is suspected of aiding Butts in his escape from law enforcement after the shooting.

Veatch and his brother,

Michael Thomas Veatch, 33, both of Kalama, were arrested by Longview police on Sunday after being interviewed by investigators; Matthew Veatch on suspicion of first-degree rendering of criminal assistance, and Michael Veatch for an outstanding warrant.

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# Butane hash oil lawsuit dismissed

By EDWARD STRATTON  
The Daily Astorian

A lawsuit brought by Richard Delphia — the owner of the building in Uniontown that went up in an explosion and fire in 2016 — against his former tenants has been dismissed.

The conflagration started in the basement, where Jason Oei and William West had been renting space to grow marijuana and manufacture hash oil concentrate. They subleased a space upstairs to marijuana store Sweet Relief and were financed

by John Harper, owner of regional smoke shops and an investor in Sweet Relief.

Jacob Magley, a construction contractor badly burned in the blast, sued Oei, West, Delphia, Harper and Sweet Relief. He claimed Oei and West had been "dabbing" and caused the blaze. The lawsuit was later settled for an undisclosed amount.

Delphia and Hudson Specialty Insurance Co. filed suit last year against Oei, West and their companies, claiming they had violated their lease through negligence. The lawsuit also

named Sweet Relief, Harper and his companies for their knowledge of the operation.

The reasons for the dismissal of Delphia's lawsuit were not disclosed.

Oei and West, who had both filed for bankruptcy protection, had already been removed from the lawsuit, along with their companies and Harper's companies. Lawyers for Sweet Relief blamed Delphia for not installing proper safety equipment.

The dismissal of Delphia's lawsuit brings to a close the legal battles around the explosion.

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