

## **Marion County 19-Year-Old Sentenced to Life in Prison for Murder and Attempted Murder Committed When He Was 16**

On July 6, 2023, Gerardo Trujillo-Torres pled guilty to Murder in the Second Degree and Attempted Murder in the First Degree with a Firearm. Marion County Circuit Court Judge David E. Leith sentenced Trujillo-Torres to life in prison, which normally requires 25-years served before a defendant is eligible for parole.<sup>[1]</sup> However, due to Trujillo-Torres being under the age of 18 at the time of his offense, Trujillo-Torres is eligible for both: (1) parole after 15 years; and (2) a “second look” (release hearing) halfway through his sentence. These two additional release hearings occur as a matter of law and are the result of 2019 legislative amendments to juvenile delinquency law pursuant to Senate Bill 1008 (2019).

Throughout the fall of 2020, Rayshawn Strickland (25) and Fred Ferguson (now deceased) were distributing narcotics, including marijuana, cocaine, and fentanyl-laced fake oxycodone pills throughout Salem and Eugene. In January 2021, they ordered the execution of their former associate, Joshua Steward, over a perceived drug debt and their belief that Steward had cooperated with law enforcement to provide evidence against them.

On January 16, 2021, Strickland and Ferguson set up a fake drug deal with Steward through a common associate, Chad Pomelow (22). Strickland and Ferguson then arranged for a 16-year-old Salem gang member, Gerardo Trujillo-Torres (now 19), to kill Steward and Rice, who was in the car with Steward. Trujillo-Torres, who did not know Steward nor Rice, shot Steward 3 times, killing him, and shot Rice in the head.

Ultimately, Rice survived.

At the time of the murder, Trujillo-Torres was on parole from the Oregon Youth Authority, where he had been committed for Assault in the Third Degree. He was charged with Murder and Attempted Murder in juvenile court as required by SB 1008. Before that legislation, Trujillo-Torres would have been charged as an adult based on the seriousness of his conduct. After SB 1008, the law prohibits the state from charging youth who commit violent felonies as adults unless a court allows a waiver, which is a very complicated legal proceeding.

In early May 2022, Marion County Circuit Court Judge Lindsay R. Partridge presided over the juvenile “waiver hearing” to determine whether Trujillo-Torres could be tried as an adult. At the conclusion of that five-day hearing, Judge Partridge waived Trujillo-Torres into adult court.

Since 2019, Trujillo- Torres remains one of two youth in Oregon waived into adult court in this manner.[\[2\]](#)

#### Fred Ferguson

On January 22, 2021, Fred Ferguson was arrested for murder, attempted murder, as well as conspiracy and solicitation to commit murder. See *State v. Ferguson*, Marion County Circuit Court Case 21CR03978.

On July 16, 2021, Fred Ferguson was found unresponsive in his Marion County jail cell. He was transported via ambulance to Salem Hospital where he was pronounced deceased. An autopsy was performed, and it was determined that Fred Ferguson died from a fentanyl overdose from within the jail. A Washington County Sheriff's Office investigation later determined that at the time of Ferguson's death, fentanyl-laced oxycodone pills were being distributed throughout Ferguson's jail pod.

#### Chad Pomelow

Chad Pomelow subsequently pled guilty in Marion County Circuit Court to one count of Conspiracy to Commit Murder. He was sentenced to 90 months in the Oregon Department of Corrections. See *State v. Pomelow*, Marion County Circuit Court Case number 21CR08656.

#### Rayshawn Strickland

On February 18, 2021, Strickland was indicted for Murder in the First Degree, Attempted Murder in the First Degree, two counts of Conspiracy to commit Murder in the Second Degree, two counts of Solicitation to Commit Murder in the Second Degree, Delivery of Cocaine, Possession of Cocaine, and Laundering a Monetary Instrument. On March 21, 2023, Strickland was charged with Racketeering (ORICO) after settlement negotiations broke down. On June 14, 2023, the parties were able to reach a stipulated agreement and Strickland was sentenced to 70 months in Oregon Department of Corrections for Racketeering, and two counts of Attempted Conspiracy to Commit Murder in the Second Degree. See *State v. Strickland*, Marion County Circuit Court Case 21CR08627.

#### Gerardo Trujillo-Torres

On July 6, 2023, Trujillo-Torres pled guilty to Murder in the Second Degree and Attempted Murder in the First Degree with a Firearm in Marion County Circuit Court Case 22CR38423. The Honorable David E. Leith sentenced Trujillo-Torres to life at the Oregon Department of Corrections, with 25-year minimum before the possibility of parole or post-prison supervision.[\[3\]](#)

However, despite the sentence for Murder in the Second Degree being “a minimum of 25 years without possibility of parole...”, Defendant is legally eligible for a parole hearing after 15 years served.[4] Furthermore, Defendant is also eligible for a “second look” proceeding at 50% of his total sentence served.[5] Both of these additional release hearings were amendments to Oregon law under SB 1008. These additional release hearings apply to any case where the person was under 18, no matter how many victims, consecutive sentences, or the length of the total sentence any defendant receives.

Trujillo-Torres is eligible to serve his sentence at MacLaren Correctional Youth Facility until he is 25-years old, at the discretion of Oregon Youth Authority.[6] This was also the law prior to 2019. He is not under jurisdiction of OYA; rather, he is a Department of Corrections Inmate housed at MacLaren. After his 25<sup>th</sup> birthday, he will be transferred to the Department of Corrections.

Had Trujillo-Torres’ case resolved in juvenile court, he would have been released back to the community prior to his 25<sup>th</sup> birthday and would have no supervision whatsoever beyond age 25.

“It is concerning that in less than 15 years, this individual could be back in our community” says Marion County District Attorney Paige Clarkson. “He clearly had his chance through the Oregon Youth Authority and was on OYA parole at the time he committed this murder. Obviously, he was not rehabilitated.”

“We have a long way to go before the interests of public safety and victim rights are appropriately balanced with juvenile delinquency reform efforts,” she continued. “Knowing that all juveniles who commit murder- whether they have 1 or 100 victims- are eligible for release after 15 years and/or halfway through their sentence, is not justice.”

The victim, Amaretta Rice stated: “I don’t agree with the outcome of this case. If you can commit murder, you can handle the adult consequences. I’m disappointed in Oregon’s system. He [Trujillo-Torres] has an opportunity for parole and a second look after killing one person and almost killing me. It’s not fair but I know the detectives and District Attorneys did everything they could and I’m grateful for all their efforts.”

The cases were prosecuted by Marion County Deputy District Attorneys Brendan Murphy and Katie Suver. According to Murphy, “Perhaps even more concerning is the astonishingly few cases waived into adult court after a true waiver hearing since 2019- I only know of two statewide.[7]”

“This case highlights a serious gap in public safety: Oregon’s response to violent juvenile conduct. Our state’s current legal structure around violent juvenile behavior does not prioritize public safety and victims.”

The case was investigated by the Salem Police Department. The Marion County District Attorney's Office would like to thank the Salem Police Department, specifically Detective Jamie Vasas for his significant efforts in investigating this case.

Any questions can be sent to DDA Brendan Murphy at (503) 588-5487 or [BPMurphy@co.marion.or.us](mailto:BPMurphy@co.marion.or.us).

[1] ORS 163.115(5).

[2] This number does not include cases where youth agree to their case resolving in adult court, usually in exchange for less-serious charges. Under these circumstances, no hearing is required. Previous reporting has included all youth waived into adult court.

[3] ORS 163.115(5).

[4] See ORS 144.397.

[5] ORS 420A.203(1)(a)(A)(i).

[6] ORS 137.124(5)(a).

[7] Prior to 2019, it was approximately 70 a year statewide.