

Man convicted in 1995 Sunnyside murder released from prison after charges dismissed

[PHIL FEROLITO Yakima Herald-Republic](#)

Aug 18, 2023



Evaristo Salas, 42, is greeted by father Ruben Alvarado and family as he walks out of the Airway Heights Corrections Center in Spokane County a free man, Thursday, August 17, 2023. Salas, who has spent 26 years in prison, had his murder charge dismissed in a 1995 Sunnyside homicide case he said he did not commit.

- COLIN MULVANY/THE SPOKESMAN-REVIEW



Evaristo Junior Salas stands for a portrait during a family visit at Airway Heights Corrections Center near Spokane, Wash.

- Courtesy / Debbie Salas



Evaristo Salas was accused of firing two fatal shots into the head of 24-year-old Jose Arreola in November 1995.

- File photo courtesy of Laura Shaver



Family tearfully celebrate after learning that their loved one, Evaristo Salas, will be released from prison after having his 1996 murder conviction overturned at the Yakima County Juvenile Justice Center on Aug. 17, 2023.

- Joel Donofrio / Yakima Herald-Republic



Ruben Alvarado, center, stands with family after a murder charge against his son, Evaristo Salas, was dismissed at Yakima County Juvenile Justice Center on Aug. 17, 2023.

- Joel Donofrio / Yakima Herald-Republic



After being released from Airway Heights Corrections Center in Spokane County, Evaristo Salas, 42, stopped for his first meal as a free man at the McDonalds in Airway Heights with family and his his lead attorney Laura Shaver, on left, Thursday, August 17, 2023. Salas, who has spent 26 years in prison, had his murder charge dismissed in a 1995 Sunnyside homicide case he said he did not commit. After being released from Airway Heights Corrections Center in Spokane County, Evaristo Salas, 42, stopped for his first meal as a free man at the McDonalds in Airway Heights with family and his his lead attorney Laura Shaver, on left, Thursday, August 17, 2023. Salas, who has spent 26 years in prison, had his murder charge dismissed in a 1995 Sunnyside homicide case he said he did not commit.

COLIN MULVANY/THE SPOKESMAN-REVIEW

A man who spent more than 26 years in prison for a Sunnyside murder he said he didn't commit was released from prison on Thursday.

After three days of testimony in court proceedings to determine whether Evaristo Junior Salas should get a new trial, Yakima County Prosecutor Joe Brusic dismissed the charges with prejudice, meaning they cannot be refiled.

Yakima County Superior Court Judge Ruth Reukauf signed the order exonerating Salas.

Salas was released from Airway Heights Corrections Center in Spokane County on Thursday afternoon where he was greeted by his family and defense attorneys with hugs and tears.

Salas was 15 years old when charged, but was tried as an adult and sentenced to nearly 33 years in prison.

The motion from Brusick said testimony and evidence from this week's hearing demonstrated that the case "has weakened considerably, beyond what would normally be expected with the passage of over 25 years since the case was originally prosecuted."



Evaristo Salas reacts after hearing murder charges will be dismissed in a 1995 Sunnyside homicide case in a video feed from Yakima County Superior Judge Ruth Reukauf's courtroom on Aug. 17, 2023. He has maintained his innocence and spent 26 years in prison.

Joel Donofrio/ Yakima Herald-Republic

FILED
AUG 17 2023

YAKIMA COUNTY CLERK

SUPERIOR COURT OF WASHINGTON FOR YAKIMA COUNTY

STATE OF WASHINGTON,

Plaintiff,

vs.

EVARISTO JUNIOR SALAS,
dob: 12/17/1980

Respondent.

NO. 96-1-01430-9

STATE'S MOTION AND ORDER TO
VACATE CONVICTIONS AND DISMISS
WITH PREJUDICE

MOTION FOR VACATION AND DISMISSAL

COMES NOW Joseph A. Brusic, the elected Prosecutor for Yakima County, Washington, and respectfully moves the Court for vacation of defendant's convictions for First Degree Murder and Second Degree Unlawful Possession of a Firearm and for dismissal of those charges with prejudice for the following reasons:

Witness testimony during the RAP 16.12 reference hearing held Monday, August 14, through Wednesday, August 16, 2023, most likely will result in the Court of Appeals, Division Three, granting the defendant a new trial. Testimony and evidence elicited during the reference hearing demonstrate that the State's case has weakened considerably, beyond what would normally be expected with the passage of over 25 years since the case was originally prosecuted. The

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Order vacating conviction



Evaristo Salas, 42, is greeted by father Ruben Alvarado and family as he walks out of the Airway Heights Corrections Center in Spokane County a free man, Thursday, August 17, 2023. Salas, who has spent 26 years in prison, had his murder charge dismissed in a 1995 Sunnyside homicide case he said he did not commit.
COLIN MULVANY/THE SPOKESMAN-REVIEW

Salas, now 42, has maintained his innocence since he was charged with the November 1995 shooting death of Jose Arreola on a foggy November night.

He was represented by attorneys Laura Shaver and John Marlow of the Washington Innocence Project, who argued the state withheld crucial evidence that would have helped Salas' case.

Shaver has said Salas' conviction was based on the testimony of two people, Arreola's girlfriend and a police informant.

But in recent years evidence emerged showing that Arreola's girlfriend, Ofelia Cortez (formerly Gonzalez) had the pickup in which he was shot to death removed from

evidence three days after the shooting. Cortez then had the truck cleaned, repaired and traded it in for another vehicle, according to police reports obtained by Shaver.

Receipts of payments the informant, Bill Bruhn, received for working cases with the lead detective on the case, former Sunnyside Police Sgt. James Rivard, also were withheld from the trial, Shaver argued.

Shaver grilled Rivard on Wednesday about the pickup truck that was removed from impound and his working relationship with Bruhn, who later recanted his testimony.

Brusic said Thursday afternoon that Rivard's testimony that he had paid Bruhn changed the dynamics of the case.

"He admitted under oath on direct examination that he provided some money to Mr. Bruhn and we were unaware of that," Brusic said. "Prosecutors were unaware of that back then."

George Trejo, the defense attorney who originally represented Salas, testified Tuesday that the state withheld evidence that would have helped his client's case. Trejo said he wasn't aware of the nature in which the truck was removed, nor evidence being destroyed; information that should have been provided.

Brusic said his decision was based on the state's inability to prove the case beyond a reasonable doubt now.

"The nature of my decision wasn't based on this defendant's innocence," Brusic said. "I'm not saying he was innocent."



Evaristo Salas, 42, is greeted by his lead attorney Laura Shaver and family as he walks out of the Airway Heights Corrections Center in Spokane County a free man, Thursday, August 17, 2023. Salas, who has spent 26 years in prison, had his murder charge dismissed in a 1995 Sunnyside homicide case he said he did not commit.
COLIN MULVANY/THE SPOKESMAN-REVIEW



Ruben Alvarado and his wife, Maria, embrace family after a 26-year-old first-degree murder charge was dismissed against Alvarado's son, Evaristo Salas, at the Yakima County Juvenile Justice Center on Aug. 17, 2023.

After the decision, about 30 family and friends gathered at the Yakima County Juvenile Court, where the hearing was held, expressed a mix of tears and joy.

Outside the courtroom, Evaristo Salas' sister, Debbie Salas, said she was full of excitement for her younger brother.

"We've been waiting for this for a long time," she said. "To me, justice has been served a little bit."

The hearing came after a panel of state appellate judges [sent the case back](#) to Yakima County Superior Court to probe the merits of any new evidence.

Shaver filed the appeal after retired Yakima County Superior Court Judge [David Elofson denied Salas](#) a new trial. The appellate judges said Elofson erred by not allowing Salas a hearing to call witnesses and present the new evidence.

The case was featured in the "[Wrong Man](#)" documentary television series on STARZ in 2018.

Salas' dad, Ruben Alvarado, cried with joy when Reukauf read the order and signed it.

"I feel very good for my son," Alvarado said. "I said at the beginning when this happened that the truth is going to come out sooner or later. It's here; it's here today."



Isiah Alvarado, left, Ruben Alvarado, center, and Maria Alvarado read the ruling dismissing Salas' murder charge on Thursday at the Yakima County Juvenile Justice Center on Aug. 17, 2023.

Joel Donofrio / Yakima Herald-Republic

Alvarado and Debbie Salas said life had been hard ever since Evaristo Salas was sent to prison.

Alvarado said the family never stopped supporting Salas.

"We've been through a lot of stuff," he said. "It took a lot of work to be right there with him. And we're going to be there for him — the whole family."

Shaver began working on Salas' case in June 2017.

"It's incredibly hard to represent people who have been wrongfully convicted," she said. "Junior wrote to me six years ago. For six years, I lived and breathed through ups and downs to right this wrong that robbed this 15 year-old kid of his entire future."



A video feed shown outside Yakima County Superior Court Judge Ruth Reukauf's courtroom on Aug. 17, 2023, shows Evaristo Salas' reaction when he hears murder charges will be dismissed.

Joel Donofrio / Yakima Herald-Republic

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