

## **OFFICE OF THE DISTRICT ATTORNEY**

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February 23, 2022

The Honorable Kate Brown  
Governor of the State of Oregon  
Office of the Governor  
160 State Capitol  
900 Court Street NE  
Salem, OR 97301-4047

RE: Opposition to Executive Clemency Application of Kyle Hedquist

Dear Honorable Kate Brown,

After reviewing Kyle Hedquist's clemency application, I am writing to oppose the granting of clemency to Mr. Hedquist. Hedquist has applied for clemency on three previous occasions --- all of which have been denied. Nothing within Hedquist's current application demonstrates that clemency is now appropriate. Instead, Hedquist's background, the heinousness of the murder, and the materials presented within his petition all continue to show that Hedquist is not an appropriate candidate for executive clemency.

On November 24, 1994, Kyle Hedquist and one of his friends, Jonathan Timmons, stole a number of items from the home of Hedquist's aunt, Cheryl Briggs, while she was away for Thanksgiving. Hedquist and Timmons took the stolen items and stashed them at the apartment of Timmon's girlfriend, Misty Dalton. Nikki Thrasher, the teenager Hedquist would murder a few days later, was roommates with Ms. Dalton. Ms. Thrasher was completely unaware of the burglary. On the morning of November 27, 1994, Ms. Thrasher saw some of the stolen items and asked Hedquist about them. Hedquist, concerned that Ms. Thrasher might find out the items were stolen and report him, decided he had to kill Ms. Thrasher to keep that from happening.

Hedquist lied and told Ms. Thrasher that one of her friends had left a message wanting to meet her on a hill to the west of the Melrose area. Hedquist then offered to drive Ms. Thrasher out to the meeting place. When they arrived at the bottom of a mountain road near the location Hedquist pulled out a pistol and told Ms. Thrasher that he was going to kill her. Hedquist then forced Ms. Thrasher to walk up the dirt road so he could find the most appropriate place to kill her. After

walking, some distance Ms. Thrasher began hyperventilating and Hedquist, frustrated with Ms. Thrasher's inability to continue walking, raised his pistol and shot Ms. Thrasher in the back of the head. Hedquist then grabbed Ms. Thrasher's lifeless body and dumped it in a less conspicuous place on the roadside.

That is the murder Hedquist committed. Or, as Hedquist so fully and eloquently describes the act on page two of his petition "Kyle arrived at the house in a state of high anxiety and made the tragic choice to shoot and kill Nikki." But that type of description is par for the course for Hedquist. Throughout his petition, Hedquist seems unconcerned with accurately portraying the numerous crimes he committed and more interested in painting as compelling and as TV ready a story as possible.

Apparently uninterested in having his version of events be based in reality or supported by evidence, Hedquist has put together a petition that swings for the fences as it strains to paint him in as favorable a light as possible. And when that cannot be accomplished with the truth, Hedquist's strategy seems to be to make up new facts to form a more compelling narrative. There are thousands of pages of discovery on this case, and yet large swaths of Hedquist's petition are completely unsupported by any of them. In fact, many statements fly in the face of the evidence. In an effort to stay somewhat succinct, below are just a few examples that are indicative of the veracity of the petition:

- a. "Kyle never touched drugs or alcohol himself" (Petition, page 18).

Multiple witness, including Hedquist himself, gave statements describing how Hedquist commonly drank alcohol --- Hedquist's preferred drink was a rum and coke.

- b. Hedquist claims he robbed a Pizza Hut at gunpoint because he needed money to pay for an abortion for Ms. Dalton. Hedquist also claims Ms. Thrasher took the stolen money and spent it all. (Petition, pages 16-20).

Hedquist and Timmons both admitted that they used the funds from the Pizza Hut robbery to buy a number of personal items, including a car and radar guns. The money was never meant to fund an abortion.

- c. "Kyle entered with a mask on his face, with no bullets in his gun, and robbed the store" (Petition, page 19).

Hedquist admitted during an interview that there were bullets in his gun when he robbed the Pizza Hut.



- d. Hedquist claims Ms. Thrasher blackmailed him once she found the items he and Timmons had stolen from his aunt, “[Ms. Thrasher] told Kyle that if he did not pay her the money then she would unleash all kinds of trouble on he and Jon.” (Petition, Page 21).

Ms. Thrasher never blackmailed Hedquist. In fact, it appears she never even knew the items she saw were stolen. Hedquist admitted that he killed Ms. Thrasher because he was concerned she *might* realize the items were stolen and tell someone about them.

When Hedquist is not busy creating new facts for his petition, he makes time to bask in his own glow, or more aptly, the glow of the men who gave him a “hero’s welcome” and adoringly “scream[ed] his name across the chow hall” in the prison. (Petition, page 35). Unfortunately, this type of self-gratifying characterization again seems par for the course for Hedquist.

Hedquist spends the entirety of his petition creating a new version of events, blaming a staggering number of other people for his actions (including his victim), engaging in self-gratifying exposition, and trying to minimize his culpability. Hedquist’s rationale for committing this heinous murder seems to be that he was too good of a friend and he cared too much. There is little to no accountability in his petition, and this is perfectly encapsulated in the letter Hedquist wrote Ms. Thrasher’s mother in which Hedquist opines how he wishes he had taken the case to trial and writes about “all [his] accomplishments.” Hedquist then ends the letter by telling Ms. Thrasher’s mother that she is “entitled to the truth”, which given the entirety of his petition is beyond ironic.

Further, while Hedquist has provided evidence of substantial community support, it is clear from both his petition and the letters of support themselves that many of those who support Hedquist’s clemency request are not aware of the severity of his conduct, and likely have been fed this new fantasized version of events. From the perspective of a prosecutor who is very familiar with the facts of Hedquist’s repeated violent acts and lack of legitimate remorse it is clear that he has not been forthright with many of those who support his petition.

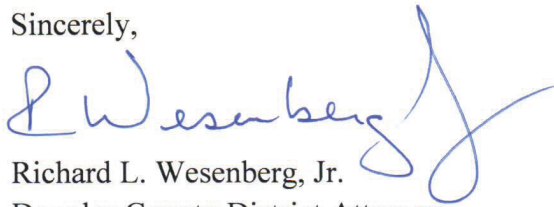
Hedquist is not an appropriate candidate for executive clemency, and Hedquist’s arguments for clemency are not unfamiliar to this office. He made many of the same arguments during the plea negotiation process in an attempt to persuade this office that he deserved life with the possibility of parole. Specifically, Hedquist characterized the murder as a single act of misbehavior --- this office knew otherwise. Evidence demonstrated that Hedquist had prior assaultive behavior, prior armed robbery of multiple victims, prior burglary and thefts, and plans for future criminal activity.

This office has concerns that clemency for Mr. Hedquist will erode the faith in the justice system. Specifically, clemency for Hedquist will demonstrate that a life sentence without the possibility of parole does not really mean a true-life sentence. Furthermore, the plea negotiation process is an integral component in the system. If a defendant can negotiate for a sentence and then receive future

clemency, then the parties will never be certain that they can depend on the outcome of their resolutions.

This office is opposed to granting any form of clemency to Kyle Hedquist.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. Wesenberg, Jr.", with a large, stylized flourish extending from the end of the signature.

Richard L. Wesenberg, Jr.  
Douglas County District Attorney