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Jose Manuel Funes-Zelaya receives 15 year prison sentence for killing Shay Martinez

Today, Multnomah County District Attorney Rod Underhill announced that 32-year-old Jose Funes-Zelaya received a 15 year prison sentence for recklessly causing the death of 29-year-old Shay Martinez.

"I trusted you to love and not harm her," Ms. Joann Gonzaga said in court. "My life has been horrible since you chose to take my daughter away from me. ...[Shay] had more gusto than people twice as big as her."

"This is something that was completely avoidable and should have never happened," Ms. Martinez' brother, Destrian Vallejo, said in court. "You robbed the world of someone with an infectious laugh."

On June 3, 2019, Funes-Zelaya pleaded guilty to one count of manslaughter in the first degree constituting domestic violence. By pleading guilty, Funes-Zelaya admits that he recklessly, under circumstances manifesting extreme indifference to the value of human life, caused the death of Ms. Martinez while in a relationship with her.

This investigation started on September 11, 2017 when employees at Mt. Hood Medical Center in Gresham, Oregon notified law enforcement about a patient suffering from critical injuries that were determined to be suspicious in nature. Law enforcement responded and identified the patient as Ms. Martinez. It was determined that Funes-Zelaya brought Ms. Martinez to the hospital.

Due to the severity of Ms. Martinez' injuries, she was transported to Legacy Emanuel Medical Center in Portland, Oregon where it was determined that in addition to numerous other injuries, she was suffering from a significant brain injury. Ms. Martinez later died as a result of her injuries.

"It is the state's theory that Jose Funes-Zelaya threw Ms. Martinez across their bedroom causing a traumatic head injury that led to her death," said Multnomah County Deputy District Attorney Kelley Rhoades, who prosecuted this case. "After causing that injury, he left her in bed for 18 hours with a brain bleed before transporting her to the hospital. In order to be found guilty of murder, the state must be able to prove beyond a reasonable doubt that someone committed that crime intentionally. In this case, after an extensive investigation and a review of mitigating information, we believe this is an appropriate resolution that holds Mr. Funes-Zelaya accountable for his actions that led to the death of Ms. Martinez."

As part of his sentencing, Funes-Zelaya will be ordered to pay \$5,000 in restitution. Upon his release, he will be on three years of post-prison supervision.

The Multnomah County District Attorney's Office recognizes the employees at Mt. Hood Medical Center, Legacy Emanuel Medical Center and American Medical Response for providing immediate medical care to Ms. Martinez. Additionally, we recognize the Gresham Police Department and the East Multnomah County Major Crimes Team for their dedicated efforts investigating this homicide.

This case was litigated by Multnomah County Deputy District Attorneys Kelley Rhoades and Mike Botthof and the Domestic Violence Unit within the Multnomah County District Attorney's Office.

The primary responsibility of the DV Unit is to prosecute all felony and misdemeanor domestic violence cases. The relationships between the victim and offenders are both intimate partner violence and non-intimate partner violence. The DV Unit is responsible for screening, issuing, negotiating, and prosecuting allegations of contempt of court for violations of a Family Abuse Prevention Act restraining order. The unit engages in evidence-based prosecution of domestic violence. It emphasizes the importance of victim advocacy services for all victims and their children. Even when the prosecutor decides to proceed with a case without a victim's participation, every effort is made to offer the victim advocacy services from available resources.

The National Domestic Violence Hotline is able to provide around the clock resources and advocacy to individuals in need by calling 1-800-799-SAFE (7233). For local domestic violence resources, please visit the Multnomah County Department of County Human Services website by clicking [here](#).

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