

## Jury finds manslaughter, not murder, in killing of wife

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A jury apparently believed Todd Koolmo's testimony that he was under extreme emotional distress when he killed his wife last year.

The four-woman, two-man jury deliberated more than six hours Tuesday before deciding that Koolmo, 31, was guilty of manslaughter, a second-degree felony, and not the murder conviction prosecutors had sought. Instead of a life sentence, Koolmo faces a maximum 15 years in prison. His sentencing is set for April 26 before 3rd District Judge Robert Hilder.

"We accept the verdict. Obviously we're disappointed, but the jury has spoken," said prosecutor Blake Nakamura. "It's a case we could have won or we could have lost, and we lost it."

During the five-day trial, Koolmo admitted shooting his wife, Melissa Koolmo, twice during a heated argument on March 18, 1998. However, he contended the shooting was the result of extreme emotional distress caused by a deteriorating marital relationship.

During closing arguments, defense attorney James Bradshaw pointed to the "huge body of evidence" that showed Todd Koolmo was "absolutely heartbroken" when he pulled the trigger on his wife.

"This horrible, horrible crime is a product of the emotions of the moment," Bradshaw said.

Under Utah law, manslaughter occurs when the act is committed under an extreme emotional disturbance for which there is a reasonable explanation.

"It does not require that the killing have a reasonable explanation," Bradshaw said.

On the other hand, murder requires some form of premeditation. "It's what the person really wants when in cool reflection," he said.

The triggering event for Melissa Koolmo's slaying came after months of emotional turmoil, Bradshaw said.

Todd Koolmo testified that his wife had begun to spend a substantial amount of time away from him after she received a promotion at her work in the fall of 1997. After confronting her about extramarital lesbian affairs, she made it clear that if he did not agree with her lifestyle then he could leave, he said.

But he remained in the relationship because he loved her and hoped this "phase" would pass.

"It's a sick relationship. It was very unhealthy, but he worshiped her," Bradshaw said.

To cope with his emotions, Todd Koolmo said he turned to alcohol. He also vented some of his frustrations by communicating via e-mail with a former co-worker, Alpine police officer James Cowan, with whom he shared a "bizarre" sense of humor.

In one of the e-mails, Koolmo stated he was "seriously considering doing the 'DEED' and then I'll have the last word."

Prosecutors argued that this and other letters Koolmo wrote proved he planned to kill his wife. Letters he wrote to his wife also apparently seemed to encourage her lifestyle.

But he wrote those seemingly encouraging letters as a "transparent attempt to comply with what she required," Bradshaw said.

Prosecutor James Cope also pointed to the fact Koolmo lied to police saying the shooting had been an accident.

"He's had almost a year to come up with a good one, but he still lies," Cope said during his closing argument.

But Bradshaw pointed to at least two independent sources who corroborated Koolmo's emotional state.

Andy Curtis, Koolmo's supervisor at Snowbird Ski Resort, where he worked as a security officer, testified that Koolmo had confided in him about his marital problems. Curtis encouraged him to "let go" of the relationship, but Koolmo replied he didn't want his marriage to end, he said.

Also, during the argument that led to the shooting, Melissa Koolmo had received a call from her mother, Alice Mouser, who also spoke with Todd Koolmo that night. She later told police that "he was so upset she could not understand anything he said," Bradshaw said.