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Man convicted of notorious 1991 first degree murder is third defendant denied resentencing

People v. Patrick Lamonte Richardson, SC016712A

SALINAS, California- Monterey County District Attorney Jeannine M. Pacioni announced today that Patrick Lamonte Richardson was denied resentencing for his involvement in a 1991 nighttime home invasion murder.

In June 1991 Richardson, along with Eugene Ballance, John Drayton, Annette Durr, and Lester Polk, planned a residential robbery in Salinas. The four males entered the home at 2:00 a.m., and Drayton, Polk and Richardson were armed. Polk and Richardson rushed into the master bedroom and found the husband and wife homeowners. Polk announced this was a robbery. He and Richardson put their firearms to the couple's heads demanding to know the location of the safe. Richardson put his gun into the husband's mouth and demanded the location of a safe. Because they were repeatedly told there was no safe, Drayton and Richardson found the homeowner's seventeen-year-old daughter in her bedroom. They took her at gun point into the master bedroom. Failing to coerce the location of the nonexistent safe, Polk ordered the seventeen-year-old girl to undress. Polk put his shotgun into her mouth and said he was going to blow her head off demanding the location of the safe. Polk then sexually assaulted her with his shotgun. Polk then told the parents he would force them watch as he raped their daughter. When Polk moved towards the girl, her father struggled with Richardson. Polk came to Richardson's aid and Polk's shotgun discharged. Moments later Richardson shot the father in the back. The bullet severed his spine. The four robbers fled the house leaving the husband wounded. Before leaving, Drayton ordered the two females not to move for the next fifteen minutes. The father bled to death within minutes. The robbers spent 48 minutes inside the home.

Richardson was initially charged with multiple offenses, including murder and three special circumstances making him eligible for the death penalty. Richardson was found guilty after a jury

trial of murder, the three special circumstances, three counts of robbery, two counts of assault, one count of sexual penetration by force, one count of burglary, and one count of conspiracy. Following the penalty phase, the jury fixed Richardson's punishment at life without the possibility of parole for the murder conviction.

In 2018 the California Legislature passed a law changing the definition of murder. The new law also allows certain offenders previously convicted of murder relief if their convictions are not within the new definition of murder. Under this new law, a defendant cannot be convicted under a felony murder theory unless the defendant is an actual killer or was a major participant in the underlying felony and acted with reckless indifference to human life. In denying Richardson's petition, Judge Rafael Vazquez ruled that Richardson was the actual killer. Judge Vazquez also ruled that Richardson was a major participant in the burglary and robbery and acted with reckless indifference to human life.

John Drayton and Lester Polk previously filed petitions for resentencing. Drayton's petition was denied on May 17, 2019. Polk's petition was denied on June 13, 2019.