

Television Stations

KMS-TV
P.O. Box 1938
Monterey 93940
(408) 649-0460
FAX: (408) 646-1973

KSMS-TV
P.O. Box 2690
Monterey 93942
(408) 373-6767
FAX: (408) 373-6700

KCAH-TV
P.O. Box 1541
Salinas 94902
(408) 754-1540

KCBA-TV
P.O. Box 3560
Salinas 93912
(408) 422-3500
FAX: (408) 754-1120

KSBW-TV
P.O. Box 81651
Salinas 93912
(408) 758-8888
FAX: (408) 424-3750

Daily Newspapers

Monterey Peninsula Herald
P.O. Box 271
Monterey 93942
(408) 372-3311, (408) 646-4366
FAX: 372-8401

The Californian
P.O. Box 81091
Salinas 93912
(408) 424-2221
FAX: (408) 754-4293

Weekly Papers

The Exchange
P.O. Drawer AB
Carmel 93921

Monterey Bay Tribune
551 Foam Street
Monterey 93940

Monterey Peninsula Review
P.O. Box G-1
Monterey 93921
(408) 624-0162

Carmel Pine Cone/Outlook
P.O. Box G-1
Carmel 93921
(408) 624-0162
FAX: (408) 624-8076

Coast Weekly
P.O. Drawer AB
Carmel 93921
(408) 625-5656
FAX: (408) 625-5911

Weekly Sun
P.O. Box 88
Carmichael, CA 95609
(916) 483-0946

North Monterey County Fortnighter
P.O. Box 1104
Castroville 95012
(408) 663-3939

Gonzales Tribune
P.O. Box 648
Gonzales 93926
(408) 675-3434
FAX: (408) 678-1242

Greenfield News
P.O. Box 187
Greenfield 93927
(408) 674-5907
FAX: (408) 385-3221

King City Rustler
P.O. Box 68
King City 93930
(408) 385-4880
FAX: (408) 385-4799

Monterey Bay Tribune
551 Foam Street
Monterey 93940
(408) 375-1511
FAX: (408) 375-1512

Pacific Grove Monarch
P.O. Box G-1
Carmel 93921
(408) 624-0162
FAX: (408) 624-8076

Soledad Bee
P.O. Box 95
Soledad 93960
(408) 678-2660
FAX: (408) 678-1242

Radio Stations

KNRY-AM
P.O. Box 9100
Monterey 93942
(408) 373-1234
FAX: (408) 373-1255

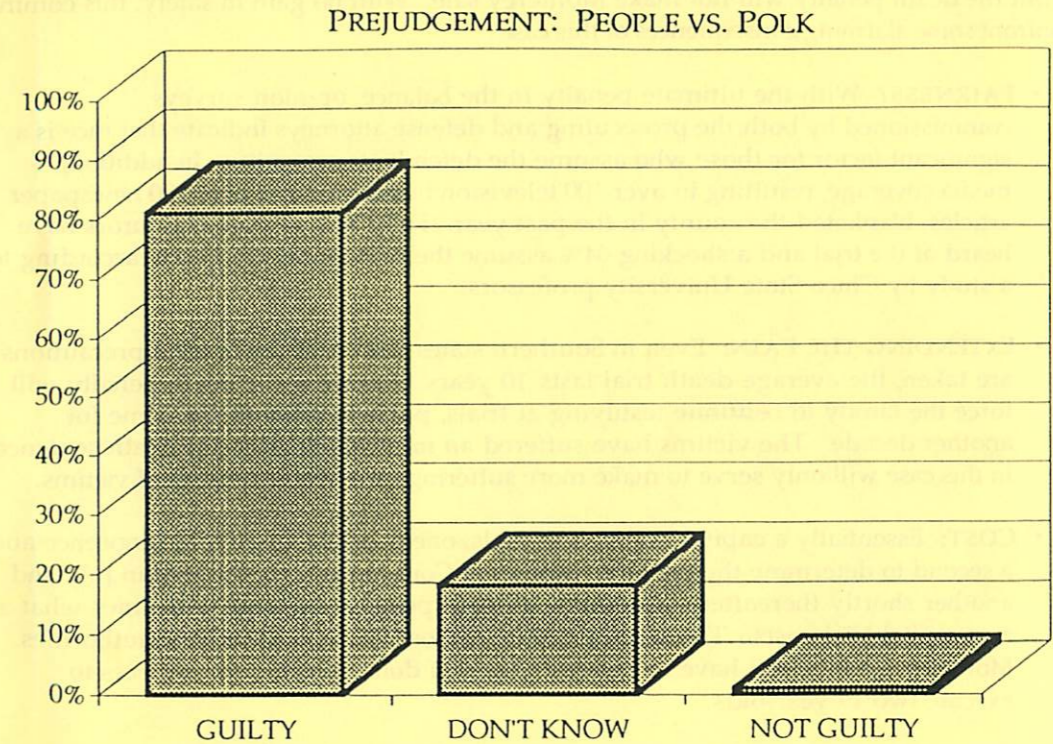
KAZU-FM
176 Forest Avenue
Pacific Grove 93950
(408) 375-7275

KCTY-AM and KRAY-FM
P.O. Box 1939
Salinas 93902
(408) 757-5911
FAX: (408) 757-9764

KHDC-FM
161 Main Street
Salinas 93901
(408) 757-8039

Two African-American teenagers will go on trial for murder in July in Monterey. If convicted, each could face execution in the gas chamber.

State law requires that the trial be held in a neutral community if there is a reasonable likelihood that an impartial jury can't be found. In an opinion survey conducted by two sociologists from Chico State University, 81% of potential jurors are aware of the case and 64% prejudged the defendants as guilty—see chart below.



From a report prepared by Social Science Survey Center, Chico, CA

With The State Marshalling Resources To Execute Teenagers, Can We Risk An Unfair Trial?

For more information, please call Death Penalty Focus (510) 452-9505

CONCERNS ABOUT THIS CASE

Two African-American teenagers will go on trial for murder in July in Monterey. Both are charged with robbery, burglary and assault with a deadly weapon. One is accused of shooting James Ward and another is accused of sexually assaulting his daughter. Both will be tried for all the crimes listed above because of California's "felony murder" rule. If convicted, each face the death penalty.

The mother of one of the defendants contacted Death Penalty Focus. In her words, she realized that her son must be held accountable for any crime he may have participated in, but like any mother she doesn't want to see him killed.

We are all concerned about violent crime. No one should be afraid of being attacked in their own home. But the death penalty will not make Monterey safe. With no gain in safety, this community must confront some alarming consequences of this case:

- **FAIRNESS?** With the ultimate penalty in the balance, opinion surveys commissioned by both the prosecuting and defense attorneys indicate that race is a significant factor for those who assume the defendants are guilty. In addition, media coverage, resulting in over 100 television broadcasts and over 100 newspaper articles, blanketed the county in the past year. Fully 81% of potential jurors have heard of the trial and a shocking 64% assume the defendants are guilty, according to a study by Chico State University professors.
- **EXTENDING THE PAIN:** Even in Southern states where far fewer legal precautions are taken, the average death trial lasts 10 years. Pursuing the death penalty will force the family to continue testifying at trials, publicly reliving the crime for another decade. The victims have suffered an incalculable loss—the death sentence in this case will only serve to make more suffering for a whole new set of victims.
- **COST:** Essentially a capital trial is two trials, one to establish guilt or innocence and a second to determine the penalty. Monterey County has a capital trial in July and another shortly thereafter. Routinely, a death penalty trial cost four times what a non-capital trial costs. The state has shifted most of this cost to local authorities. Monterey County will have to divert millions of dollars from other services to execute two 19-year-olds.

EVENTS LEADING UP TO THE TRIAL

In the early morning of June 14, 1991, five youths—ranging in age from 16 to 20—robbed the home of James Ward in North Salinas. In the course of the robbery, one of the youths shot Mr. Ward to death in a struggle over a gun. Ward was trying to protect his 17-year-old daughter and wife. After the shooting, the suspects panicked and left the home with nearly \$5,000 in cash.

Three have pled guilty to the crime: One is serving 5 1/2 years in the California Youth Authority and two received 25 years in prison. Two are yet to be tried. Despite their youth, Patrick Richardson, 19, and Lester Polk, 19, are charged with murder in the first degree with

special circumstances, including sexual assault, robbery, burglary and assault with a deadly weapon. This is the first time either have been tried by the court. One of the defendants has no previous criminal record. If both are convicted, they face execution in the gas chamber.

Controversy surrounds the question of whether or not Patrick Richardson and Lester Polk can get a fair trial in the tightly knit community of Monterey. Numerous polls indicate that race is a significant aspect in the minds of potential jurors. The five defendants are black and the victims are well-known white members of the agricultural community.

In addition, an avalanche of media attention of nearly every aspect of the case makes the prospect of finding jurors who are unfamiliar and unbiased about the incident unlikely. Editorials in the local papers have assumed the defendant's guilt. Concern over too much media attention, and possible biasing the public before the trial was such a concern to the court that both prosecuting and defense attorneys agreed that the sheriff reports should be sealed to the public. This seal was broken however, by a leak to *The Monterey Herald* in September. California law requires a change of venue if there is a reasonable likelihood that an impartial jury cannot be found in the local community. Despite the media circus that has embraced this trial over the last year, the judge refuses to a change of venue to allow the trial to take place in a more neutral community.

OPPOSING THE DEATH PENALTY LOCALLY AND STATEWIDE

The execution of Robert Alton Harris last April demonstrated that any jury who gives the death penalty must realize that the state of California intends to carry it out. Death Penalty Focus of California is dedicated to the dual goals of abolishing the death sentence from California's legal system and urging communities to avoid imposing this sentence.

WHAT YOU CAN DO?

1. Appeals to the Media. We urge all those concerned about the possible execution of these youths to write Letters to the Editor in their community newspapers. These letters should discuss the question of fairness and the need for an unbiased trial. In addition to newspapers, we encourage concerned people to contact public forums via television and radio broadcasts. Please consult back page for addresses of Monterey County media.
2. Appeals to the District Attorney of Monterey County. Write to District Attorney Dean Flippo questioning the expenditures on a capital trial where the defendants are very young and justice could be served by Life in Prison Without Possibility of Parole. District Attorney's Office, P.O. Box 1369, Salinas CA 93902.
3. Community Action. Identify other key people in the community to discuss the role of a death sentence in a civilized society, especially given the arbitrary, discriminatory and cruel manner it is imposed. Nationwide, only 1 in 100 murderers get the death penalty. A disproportionately high number of these are African-Americans. The cost of the death penalty is astronomical. No study has been able to prove that the death penalty has any deterrence effect on crime. Life in prison without the possibility of parole is equally as effective in keeping society safe from future harm. This leaves vengeance as the only justification for a death penalty that is unfair and costly. Many supporters of the death sentence pursue it on behalf of victims. The taking of more lives, however, is little solace and creates many new victims.