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**PRESS RELEASE**

**For Immediate Release**

Date: January 26, 2009  
Re: People v. Leopoldo Paul Velasquez  
Jury finds gang member guilty of first degree murder.

**For More Information Contact:**

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Modesto, California - Stanislaus County District Attorney Birgit Fladager announced today that LEOPOLDO PAUL VELASQUEZ, age 25, of Modesto, was convicted after a two-week jury trial of First Degree Premeditated Murder with the special circumstance that the defendant committed the killing as an active Norteno gang member, and that the killing was for the benefit of the Norteno criminal street gang. The jury also found that the defendant personally discharged a firearm that resulted in the death of the victim. The defendant was also convicted of possession a firearm while a felon, possession of a firearm by an active gang member, and being an active Norteno street gang member. The jury reached their verdict late Friday afternoon of January 23, 2009. Deputy District Attorney Wendell Emerson prosecuted the case for the People.

The case arose out of events which occurred on July 10, 2006 in the city of Modesto. At approximately 1:30 a.m., the defendant, a Norteno gang member, walked over to the corner of Ronald Ave. and Waring Way with a firearm. Thinking that a rival Sureno gang member was among several kids hanging out together on Waring Way, the defendant pulled out his gun and fired 5 shots at them. A rival Sureno gang member was not among the group of kids at whom the defendant fired. One of the shots the defendant fired struck and killed 17-year-old Jason Bender. Bender died almost immediately after suffering the fatal gunshot. Just minutes after the shooting, a citizen came forward with information regarding the shooting. That information led detectives to the defendant. The defendant was arrested several hours later after the MPD SWAT team executed a search warrant at the defendant's residence. The murder weapon was located during the search of defendant's home.

Modesto Police Department Detective Dodge Hendee (ret.) was the lead investigator for this homicide. The Honorable John Whiteside, who presided over the jury trial, scheduled sentencing for February 20, 2009. The defendant is facing a life sentence without the possibility of parole.

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