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PRESS RELEASE

For Immediate Release

Date: March 29, 2019
Re: Abel Rodriguez, Jr.
Guilty Verdict for Murder

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Modesto, California - Stanislaus County District Attorney Birgit Fladager announced today that Abel Rodriguez, Jr., age 35, of Ceres, was convicted after a jury trial on March 28, 2019 of first-degree murder and two counts of attempted murder with firearm and gang enhancements. Deputy District Attorney Jeff Mangar prosecuted the case for the People.

On July 4, 2009 at approximately 9:50 p.m., Rodriguez and a fellow Norteno gang member were hanging out in the area of west Modesto when another norteno gang member drove up and indicated that there were "scraps" a couple of blocks away. "Scraps" is a derogatory name for Sureno gang members who are rivals of the Nortenos. Rodriguez and his fellow Norteno friend decided to go seek out these Surenos. Rodriguez was driving his girlfriend's newer black Dodge Charger and his fellow Norteno was in the front passenger seat. Rodriguez placed his Glock handgun onto his lap. The handgun had been modified to be a fully automatic machine gun. Rodriguez turned a corner and saw a family having a 4th of July barbeque in their front yard. He believed that this family were Surenos. Rodriguez rolled down his driver's side window, turned off his headlights, and slowed down to a stop in front of the party. Rodriguez then fired his machine gun into the crowd shooting three people. Two people were seriously wounded including a rival Sureno gang member. One innocent bystander, who was a migrant laborer, was struck three times in the back and killed.

Within minutes, Sheriff's deputies responded to the area after several 911 calls were made which described Rodriguez's vehicle. One deputy saw Rodriguez's car and got behind it to run the license plate. Rodriguez tried to evade the deputy by going onto Highway 99 southbound. Rodriguez gave the handgun to his passenger to throw out the window. Rodriguez then accelerated in excess of 125 mph while weaving in and out of traffic. Rodriguez then tried to take the West Main Street exit in Turlock. While turning left at the bottom of the offramp, Rodriguez lost control of the vehicle and crashed into the embankment which immobilized his car. Deputies were in pursuit the entire time and they were able to remove Rodriguez from the driver's seat and his friend from the front passenger seat.

At the scene of the shooting, detectives located twelve shell casings. The handgun was recovered from the side of Highway 99. Rodriguez had gunshot residue on his hands indicating that he had recently fired a gun. A Department of Justice criminalist determined that the twelve shell casings

from the scene of the shooting matched a shell casing that was located in the vehicle. Further analysis reveals that all thirteen shell casings were fired from the Glock handgun.

Evidence was also presented during the jury trial that Rodriguez was a Norteno gang member who was previously convicted of assault in 2002 and 2006. The defense gang expert, Jesse De La Cruz, is a Norteno Nuestra Familia dropout who testified about the inner workings and structure of the criminal street gang. He was paid \$10,000 for his testimony to insinuate that another person was responsible for the shooting. The jury did not find his testimony to be credible.

Judge Nancy Ashley has scheduled a court trial next week to review Rodriguez's prior "strike" conviction. A sentencing hearing will be set at that time.

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