



# Office of the District Attorney Stanislaus County

**Birgit Fladager**  
District Attorney

**Assistant District Attorney**  
Jeffrey M. Laugero

**Chief Deputies**  
Marlisa Ferreira  
Wendell Emerson  
Michael D. Houston  
Mark Zahner

**Bureau of Investigation**  
Chief Terry L. Seese

---

## **PRESS RELEASE**

### **For Immediate Release**

Date: December 9, 2021  
Re: Scott Lee Peterson  
Re-sentencing hearing

### **For More Information Contact:**

John Goold, Public Information Liaison  
Phone: (209) 525-6909

**Modesto, California** - Stanislaus County District Attorney Birgit Fladager announced today that Scott Lee Peterson, age 49, was resentenced today in San Mateo County Superior Court for the Christmas Eve 2002 murders of his wife Laci and their unborn son, Conner. District Attorney Birgit Fladager and Special Assistant District Attorney David P. Harris appeared at the hearing in Redwood City on behalf of the People.

On November 12, 2004, Peterson was convicted by a San Mateo County Superior Court jury of the murders of his pregnant wife Laci and her unborn son Conner. The jury also found true the special allegation that Peterson committed multiple murders, making him eligible for the death penalty. During the penalty phase of the trial, the jury recommended Peterson be sentenced to death and, in March of 2005, Judge Alfred Delucchi accepted that recommendation and formally sentenced Peterson to die by lethal injection.

In August of 2020, the California Supreme Court reversed the death sentence but upheld the murder convictions and special circumstance. The Court found error with Judge Delucchi's summary dismissal of potential jurors who stated on the juror questionnaire that they would not be able to sentence anyone to death. The law requires that each juror be questioned individually regarding the issue of death. The Supreme Court had no problem upholding Peterson's murder convictions and remanded the case back to court in Redwood City for a re-trial of the penalty phase.

After further review and discussions with Laci's family, on May 28, 2021 the District Attorney withdrew their request to seek the death penalty in a re-trial leaving the case in a posture requiring re-sentencing on the trial convictions.

Since the case was originally transferred to San Mateo County Superior Court on a change of venue, further proceedings were required to be held in the original trial court in Redwood City. Trial Judge Alfred Delucchi died in 2008 which led the California Supreme Court to appoint San Francisco Superior Court Judge Anne-Christine Massullo to take over the case.

Office: 832 12th Street, Suite 300 Modesto, CA 95354 Mailing: PO BOX 442 Modesto, CA 95353  
Telephone: (209) 525-5550 Fax: (209) 558-4027 [www.stanislaus-da.org](http://www.stanislaus-da.org)



<https://www.facebook.com/StanislausDistrictAttorney/>

During today's hearing, Judge Massullo noted that Peterson stood convicted of First Degree Murder in the death of his pregnant wife Laci as well as convicted of Second Degree Murder in the death of his unborn son Conner. The jury also found true the special circumstance of multiple murders making Life Without the Possibility of Parole (LWOP) the only possible sentence to impose.

Before imposing sentence, Massullo heard statements by the prosecution wherein Special Assistant District Attorney David P. Harris detailed facts from the trial record showing Peterson's guilt that supported the jury's verdict, including Peterson lying to his girlfriend Amber Frey in early December 2002 about how his wife had died and this was going to be his first Christmas without her. He also lied to her that he would be unavailable during the holidays due to work travel including leaving the country. All these statements by Peterson occurred before Laci even went missing. On December 8, 2002, Peterson researched the tide and currents in San Francisco Bay where he dumped Laci's body. These were just some of the facts brought out at trial and itemized by the California Supreme Court in their opinion finding sufficient evidence upholding the trial convictions.

Sharon Rocha, Laci's mother, Brent Rocha, Laci's brother, and her sister Amy Rocha gave powerful and poignant victim impact statements before the court detailing how the last 19 years have taken a huge emotional toll on each one of them. How every holiday is excruciatingly painful knowing how Laci was murdered and dumped in San Francisco Bay by her own husband. None of the victim's family believed the killer of their daughter/sister/grandson and nephew ever showed the slightest remorse for what he did.

At the conclusion of the hearing, Judge Massullo sentenced Peterson to Life Without the Possibility of Parole (LWOP) on Count I for the murder of Laci and 15 years to life on Count II for the murder of Baby Conner. Count II was ordered to run concurrently to Count I.

Judge Massullo then ordered that Peterson be held in San Mateo County jail pending the outcome of a Habeas Corpus proceeding regarding possible juror misconduct that is to be held February 25, 2022.

###