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PRESS RELEASE

For Immediate Release

Date: March 4, 2024
Re: Richard Thomas Alderate
Convicted Killer Denied Parole

More Information Contact:

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Modesto, California - Stanislaus County District Attorney Jeff Laugero announced today that Richard Thomas Alderate, 59 years of age, of Modesto was found unsuitable for parole at a December 13, 2023 hearing of the State Board of Parole Hearings at the Mule Creek State Prison in Ione, California. Deputy District Attorney Margot L. Roen appeared at the hearing and argued for continued confinement based on Alderate's lack of insight into his crime, his lengthy gang involvement, even while incarcerated, and his underdeveloped parole plans. The Board of Parole Hearings agreed and denied parole for five years.

On the afternoon of November 9, 1995, Michael Owen and his brother Samuel Owen, along with their friend Joe Nava, were standing in front of a relative's home in Modesto when Alderate drove by in a pickup truck, accompanied by co-defendant Eddie Hernandez and Hernandez's brother Bobby, and another individual named Joe Stump. Alderate stopped and he and the others got out of the truck. An altercation ensued during which Hernandez punched Nava in the face. Alderate then pulled out a handgun and shot Samuel Owen once in the chest. Samuel Owen died from the gunshot wound. Alderate then fired two shots at Michael Owen, wounding him. The incident appeared to be gang related.

On April 1, 1997, Alderate was convicted by a jury of first degree murder and attempted murder and was later sentenced to a total of 30 years to life in prison with the possibility of parole.

At the hearing before the Parole Board, Presiding Commissioner Barton commented on the facts of Alderate's crime, calling it "extremely brutal," and said that Alderate had many options other than shooting his victims, including simply leaving the scene when the situation escalated. The Board discussed Alderate's violent criminal past, but focused in particular on his behavior while incarcerated, including engaging in gang activity, including drug trafficking and possessing deadly weapons, and informed Alderate that his inability to sufficiently address his criminal thinking and behavior was what kept him in prison.

After deliberations, the Board denied parole for five years and advised Alderate to participate in self-help and programs that would aid him in understanding his anger and why he chose to resort to violence. The Board also recommended that Alderate work on further developing parole plans, including formulating a mental health management plan.

This was Alderate's second parole hearing (he waived his first parole hearing in 2022). Alderate will be eligible for another hearing in 2028, although he may petition the Board of Parole Hearings to advance that date if he can demonstrate a change in circumstances.

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