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NEWS RELEASE

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**Death Penalty Recommended For Gang Member
Who Killed 5 People at Homeless Camp**

A jury has recommended the death penalty for a gang member convicted of murdering five people at a Long Beach homeless encampment nine years ago, the Los Angeles County District Attorney's Office announced today.

The panel deliberated for about two hours before deciding late yesterday that David Cruz Ponce, 37, should be sentenced to death. Ponce will return to court on Nov. 27 for a sentencing setting hearing.

Ponce and co-defendant Max Eliseo Rafael, 31, were found guilty last month of five counts of murder and one count of kidnapping. The jury also found true the special circumstance allegations of multiple murders, murder during a kidnapping and murder while the defendants were active participants in a criminal street gang.

Ponce also was found guilty of an additional count of murder and kidnapping and two counts of possession of a firearm by a felon.

Deputy District Attorney Cynthia Barnes of the Major Crimes Division prosecuted the case.

Ponce and Rafael fatally shot Lorenzo Villicana, Katherine Verdun, Hamid Shraifat, Frederick Neumeier and Vanessa Malaepule on Nov. 1, 2008. All five victims lived in a homeless encampment near an off ramp of the 405 Freeway in Long Beach.

The two defendants talked about the murders in jailhouse conversations that were recorded, the prosecutor said.

Ponce also was convicted of the kidnapping and murder of Tony Bledsoe on March 23, 2009.

Rafael faces up to life in prison without the possibility of parole when he is scheduled to be sentenced Nov. 16.

Case BA392902 was investigated by the Long Beach Police Department and the Los Angeles County Sheriff's Department.

[About the Los Angeles County District Attorney's Office](#)

Los Angeles County District Attorney Jackie Lacey leads the largest local prosecutorial office in the nation. Her staff of nearly 1,000 attorneys, 300 investigators and 800 support staff members is dedicated to protecting our community through the fair and ethical pursuit of justice and the safeguarding of crime victims' rights.