

AoW 28 | English 9 Honors | Gangs

Man gets 40 years to life in shooting at USC

By Ryan Menezes | April 19, 2014 | latimes.com

A man convicted of attempted murder for opening fire on a rival gang member on the USC campus sobbed in court Friday as he was sentenced to 40 years to life in prison.

At one point, sheriff's deputies had to calm Brandon Spencer as he banged his head on the defense table. He was convicted in February on four counts of attempted murder for the 2012 shooting, the first on the campus in decades. Four people were shot and injured.

Nearly 50 friends and family members sat behind Spencer as he tried to compose himself and ask the judge for a second chance.

"I'm sorry for what happened but I can't spend the rest of my life in prison," Spencer, 21, said through tears. "I'm not just some gang-banger that they portrayed me as."

Spencer's attorney, John Blanchard, said his client had no criminal record, had a job as a security guard and had planned to attend college. At his trial, Blanchard argued that there was no credible evidence that Spencer was the gunman.

According to authorities, Spencer arrived at a crowded Halloween party when he saw Geno Hall, a member of a rival gang that shot and wounded Spencer a year earlier. Spencer left the party and returned with a gun. Spencer shot Hall, 22, and continued firing as Hall fled and the crowd scattered, authorities said. Hall was among the four people injured.

Spencer, then 19, was arrested in a parking lot on the campus, trying to flee.

Prosecutors said Spencer deserved a harsh punishment for shooting into a crowd of people in an effort to settle a score with a rival gang member.

"The fact that no one else got shot is luck," Deputy Dist. Atty. Antonella Nistorescu said. "The fact that no one died here is also luck."

More than two dozen of Spencer's supporters wrote to Los Angeles County Superior Court Judge Edmund W. Clarke Jr. asking for leniency.

"My brother's image and character was misconstrued," younger brother Bradley Spencer wrote. "Brandon is not a criminal nor a gang member. Even though he grew

up among gang members in our neighborhood, Brandon never participated in gang activity and was always above the law."

Others wrote of Spencer's aspirations to become an emergency medical technician and his plan to enroll in a training program at UCLA.

"He was excited about the prospects of his future," his father, James Spencer, wrote.

Even one of the victims weighed in, writing that he believed Spencer deserved another chance "to become a responsible citizen."

In sentencing Spencer, the judge denounced gang violence but rejected a request from prosecutors that Spencer be sentenced to consecutive 40-year prison terms for each of the four counts of attempted murder — essentially a life sentence. Instead, Clarke ruled that the sentences would run concurrently, which means Spencer could eventually be eligible for parole.

Clarke noted the letters of support and said that Spencer seemed to have redeeming qualities. But, he said, the shooting was inexcusable.

"The ultimate act of selfishness can be so achieved by squeezing the trigger of a gun," Clarke said.

Blanchard said he planned to appeal.

By the end of the hearing, Spencer seemed to compose himself. He turned to his family and friends in the courtroom.

"I love all y'all!" he yelled to them. He asked a bailiff if he could stay in the courtroom and watch everyone leave. But the answer was no.

He was escorted out of the courtroom, hands shackled.

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