

THE SENTINEL



High school sports

Names to know in 2016-17 PAGE A5

Kindergarten boot camp

Santa Monica parents pay \$1,000 for program PAGE B1



SUNNY/HAZE 98 • 63 FORECAST, A8

TUESDAY, AUGUST 23, 2016

hanfordsentinel.com

Pate case ends in mistrial

New trial scheduled to begin Oct. 17

MIKE EIMAN
Staff Reporter

HANFORD — Kings County Superior Court Judge Donna Tarter declared a mistrial Monday after jurors in the case against accused killer Todd Pate deadlocked 11-1.

A new trial has been scheduled to begin Oct. 17 for Pate.

Pate was arrested on Sept. 2, 2013, after he called 911 to report that he had killed his wife

and needed someone to come over and pick him up. Police responded to the Pates' home in the 3100 block of Nutmeg Place and found Melanie Pate dead in the family's swimming pool.

Pate is charged with first-degree homicide and a special circumstance of using knives. His defense attorney, Melina Benninghoff, had asked the jury to acquit Pate on the homicide charge and instead find him guilty of voluntary manslaughter.

Deliberations began Friday for the trial, which began on Aug. 15. The jury reconvened

around 8:40 a.m. Monday with Judge Donna Tarter reminding the 12-member jury of their duties to evaluate the evidence and reach a unanimous verdict.

Around 10:50 a.m., Tarter said she had received a communication from the jury that said, "We cannot make a unanimous decision."

The jury foreperson told Tarter that the jury had voted at least six times since deliberations began Friday, with the most recent vote splitting 11-1.

Tarter asked the jury to be open to re-examining their

views or suggesting that other jurors change theirs. She suggested asking different jurors to lead the discussion or using reverse role playing to help present their arguments.

"I am merely suggesting methods," Tarter said.

Around 2:20 p.m., court reconvened after the jury sent a written communication to Tarter saying, "We cannot come to a unanimous verdict. We cannot agree."

The jury told Tarter that it had voted four more times since



GARY FEINSTEIN, THE SENTINEL

Members of the defense team and the parents of Todd Pate leave for a lunch break during jury deliberations in Hanford on Monday morning.

Please see **Pate**, Page A8

Five Guys opens in Hanford



Francesca Merk calls out an order while the crew cooks the food Monday.

GARY FEINSTEIN, THE SENTINEL

GARY FEINSTEIN

Five Guys Burger and Fries opened Monday in the Hanford Mall complex with a hungry lunch crowd and lines out the door. Five Guys, a fast-casual restaurant, specializes in fries, custom-made burgers and milk shakes.

California court decision keeps teacher tenure

SAN FRANCISCO (AP) — In a victory for teacher unions, a divided California Supreme Court decided Monday to let the state's teacher tenure law stand.

The high court decided 4-3 not to review a lower court ruling that upheld tenure and other job protections for teachers. That ruling came in a lawsuit by a group of students who claimed that incompetent teachers were almost impossible to fire because of tenure laws and that schools in poor neighborhoods were dumping grounds for bad teachers.

The case was closely watched around the country and highlighted tensions between teacher unions, school leaders, lawmakers and well-funded education