



OFFICE OF THE
DISTRICT ATTORNEY
ORANGE COUNTY, CALIFORNIA

TODD SPITZER

FOR IMMEDIATE RELEASE

PRESS RELEASE

Date: February 16, 2023
Case #: C-57585

Kimberly Edds
Director of Public Affairs
Office: 714-347-8405, Cell: 714-504-
1917
media@da.ocgov.com



Thomas Maniscalco

**Co-founder of Hessians Motorcycle Club turned Lawyer
Granted Compassionate Release after Conviction
for 1980 Triple Execution Murders**

*Prosecutors objected to release of Thomas Maniscalco,
arguing he poses a significant threat to public safety*

SANTA ANA, Calif. – A former Westminster attorney and co-founder of the Hessian Motorcycle Club who has been incarcerated for the last 39 years for executing a fellow Hessian and his bodyguard and a 19-year-old woman in a 1980 Memorial Day massacre has been ordered to be released within 48 hours following his terminal cancer diagnosis.

Orange County prosecutors argued Thomas F. Maniscalco, who continues to deny any involvement in the murders or any other criminal activity, poses a significant threat to public safety and his release from state prison will give him the ability to settle the score against trial witnesses and anyone who cooperated with law enforcement officers that resulted in his incarceration for the last 39 years.

“Where is the compassion for the victims?” said Orange County District Attorney Todd Spitzer. “He has taken no responsibility for the lives he destroyed and soon he will be a free man with nothing to lose. At every turn, the California state Legislature and Department of Corrections and Rehabilitation has continued to show sympathy and concern for the murderer, but turned a blind eye to the murdered and their loved ones. Maniscalco didn’t care about the pain and suffering of his victims as they took their last breaths and yet we are supposed to unleash a violent sociopath back into society so he can live out his final days out of custody. State law handcuffs judges from exercising their discretion to keep sadistic murders like him behind bars where he belongs – and that has to change.”

Maniscalco, 78, was serving a 46-year to life sentence after he was convicted in 1994 of three counts of second-degree murder for the shooting deaths of Hessian Richard (Rabbit) Rizzone, 36, Thomas Monahan, 28, who served as Rizzone’s bodyguard, and Rizzone’s girlfriend, Rena Miley, 19, who was undoubtedly mentally tortured and raped before she was murdered in the attack in Rizzone’s Westminster home.

Miley was the daughter of a Los Alamitos police officer.

Fellow biker Daniel “Shame” Duffy, of Long Beach, was convicted of special circumstances murders in 1992 and sentenced to life in prison without parole. Biker Phil Warren would have also been charged with the three murders, but he was killed by Oklahoma police in 1982 while the case was still under investigation.

Duffy and Maniscalco shot the three victims multiple times at close range. Miley was found naked, laying on her back and there was evidence she had been raped.

Maniscalco and Duffy carried out the executions because Maniscalco believed Rizzone was ripping him off in his counterfeiting and meth distribution ring. The murder of Rizzone resulted in the brutal executions of Miley and Monahan because there were to be no witnesses.

Maniscalco’s first trial began in 1990 and ended a year later with a hung jury. A second trial lasted nearly 1 ½ years, resulting in Maniscalco’s conviction.

At Maniscalco’s 1994 sentencing then-Orange County Superior Court Judge Kathleen O’Leary stated he “is an extremely dangerous sociopath....Since he is successful in getting others to do his dirty work, I do not believe he will ever cease to present a danger to society if he is released at an advance age.”

California's compassionate release laws largely remove judicial discretion in determining the suitability of a terminally ill prisoner for release from custody. Compassionate release law prohibits judges from considering the heinousness of the crime for which the prisoner is serving time and limit judges to considering only the prisoner's current mental and physical condition.

In order to prevent the prisoner's compassionate release, prosecutors must convince a judge that the prisoner will likely commit a super strike – the most serious strikes under California law, including murder, mayhem, and any sexually violent offense.

Prosecutors had less than 10 days to prepare to argue against Maniscalco's release after an innocuous letter informing the Orange County District Attorney's Office of the upcoming compassionate release hearing was mailed to the District Attorney's Office. There was no follow-up from the California Department of Corrections and Rehabilitation to convey any sense of urgency of the looming release of a convicted triple-murderer who had been previously denied parole twice, including in 2020 because he posed a public safety risk.

The California Department of Corrections and Rehabilitation did not inform the family of the victims of the upcoming hearing and potential release of their loved ones' killer. Family members did participate in the hearing this week after they were contacted by the Orange County District Attorney's Office.

Maniscalco will be released to his daughter who lives in San Jose.

###