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Woman Who Killed Her Children in 1997 Resentenced to Life in Prison without Parole

Resentencing Spares Victims a New Trial, Vacates Appeals

The San Diego County District Attorney's Office said that a defendant who was convicted of four counts of first-degree murder and sentenced to death in 1999 has been re-sentenced to life in prison without the possibility of parole. Susan Eubanks, 60, was resentenced today by Superior Court Judge Joan Weber.

The re-sentencing comes after Eubanks' attorney filed a petition in January of 2020 arguing that her trial attorneys committed ineffective assistance of counsel. An evidentiary hearing was scheduled to consider the claim by Judge Weber, who is the same judge that presided over the jury trial. If the claims were to be sustained by the court, it would result in a new trial. Eubanks has also filed a petition challenging her conviction and sentence in federal court and an appeal with the 4th District Court of Appeal.

After careful consideration by a team of experienced prosecutors and weighing the possible outcomes, the District Attorney's Office moved forward in the interests of justice with prosecutor-initiated resentencing to ensure the defendant will never be released from prison. This decision will also conclude the petitions in Federal Court and in the Court of Appeal bringing much-needed finality to this case.

"As prosecutors, we are constantly making difficult decisions based on what is in the furtherance of justice and the protection of crime victims," said San Diego County District Attorney Summer Stephan. "The moratorium on the death penalty in California and assuring that the victims' family won't be put through the anguish of a lengthy new trial, all factored into our decision to accept this agreement which is guaranteed to keep this murderer behind bars for the rest of her life."

On October 26, 1997, Eubanks took the lives of her four innocent sons who ranged in age from 4 to 14-years-old. All were shot in the head. She then shot herself in the stomach. After just two hours of deliberations, a jury found her guilty on all four counts of first-degree murder. After two days, they also returned with a verdict of death. The judge denied the defense's motion to modify

the sentence and imposed the death sentence. Eubanks was then transferred to the Central California's Women's Facility, where she was sent to death row.

Currently, capital punishment is not allowed to be carried out in California, due to both a standing 2006 federal court order against the practice and a 2019 moratorium on executions ordered by Governor Gavin Newsom.

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About the San Diego County District Attorney's Office

The San Diego County DA's Office prosecutes all felony crimes in the county and misdemeanor crimes committed outside the City of San Diego. The office files about 40,000 criminal cases a year and balances prosecution with numerous crime prevention programs. District Attorney Summer Stephan leads the office of more than 1,000 dedicated employees who pursue fair and equal justice, and support victims daily across San Diego County.

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