

THE ORANGE COUNTY BETA REGISTER

Home Depot killing changed many lives

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TUSTIN - The last minutes of Tom Egan's life played out on the Home Depot's surveillance tape. As the tape rolled, Egan's life slowed to an end.

Like swatting a fly, a man in the painter's coveralls shot Egan, the store's night manager, just once. He grabbed \$500 from the cash register and stepped over Egan's dying body, leaving a trail of cash behind. Egan had been himself, a nice guy to his last breath.

It was a dirty sock full of ammunition accidentally left behind in the store and a history of violence that led to the arrest of Jason Russell

Richardson in Tom Egan's murder. He is, prosecutors said, the man behind the dust mask.

The plan, it seemed, had been a good one as robberies go. Covered head to toe in coveralls, a hard hat, a dust mask and gloves, it would be nearly impossible to identify him. The Tustin Home Depot was near the freeway and an easy getaway.

What the robbery plan didn't include was Egan, a retired Marine sergeant who refused to let any of his people or his customers get hurt. The surveillance tape shows Egan following the man in the painter's suit through the store, begging him to leave without hurting anyone. That's when things deviated from the plan. A robbery turned into murder.

His wife A.J. and their twin 3-year-old daughters would bear a lifetime of consequences

Some crimes are death penalty cases because of the horror of the crime, Deputy District Attorney Cameron Talley explained. And others, like this one, are death penalty cases because of the cavalier attitude of the killer, Talley said. And in that second, the time it takes to swat a fly, the lives of everyone around are changed.

On Monday, more than three years later, Richardson, 39, is being put on trial in the killing of Egan.

MISSED OPPORTUNITIES

Richardson could have been behind bars the day Egan was killed. Convicted of raping two ex-girlfriends in the early 1990s, Richardson was facing 24 to 48 years in prison. But one of the victims had a change of heart and begged the court to be lenient on the man she said she "loved unconditionally."

The judge listened, refusing to add additional prison time for the second rape of his "so-called victim." Richardson was sentenced to six years in state prison.

He served less than three years before being released. The next several years were spent in and out of prison on parole violations, according to court records. In 2002, he was sentenced to four years for

spousal abuse, according to court records. He was on parole when prosecutors say he shot and killed the retired Marine.

Richardson's prior crimes are unrelated to the current case, said his attorney, Associate Defender Hector Chaparro. They will be addressed, if necessary, at a later time, Chaparro said.

Nicknamed "Lucky Charms" for his fiery red hair and Irish heritage, Egan should have been home when the man in coveralls walked in to his store Feb. 9, 2007. It was Friday morning, hours after Egan's night shift at Home Depot had ended, but he was making sure everything was in order before he called it a day.

A.J. was at their San Juan Capistrano home with twins Katie and Jenna, waiting for the call telling her he was on his way. A different call came. Tom had been shot during a robbery at the store. Egan was tough, his brother-in-law Doug West had said. They all expected to see Egan lying in bed with a bullet wound, West said. It didn't happen that way.

Egan was dead.

HUNT FOR A KILLER

The gun that killed Egan was never found, but that didn't much matter. Witnesses were able to identify a suspect, despite the disguise, prosecutors say. The sock that fell out of the coveralls had DNA on it, Talley said.

The Orange County Sheriff's Department Crime Lab pushed the sample to the front of the line. The DNA matched a sample of someone in the system – Richardson, said Tustin police Sgt. Jeff Blair.

Investigators began following Richardson, who lived with his mother in Oceanside. Neighbors then described Richardson as an angry man with a shaved head and gang tattoos who they often heard screaming. He had once hit a Chihuahua, another neighbor said.

Richardson was on parole for a 2002 spousal-abuse conviction, according to court records. His past includes rape, [sexual assault on a child](#), grand theft burglary, narcotics and possession of stolen property, police said at the time of his arrest. He is a registered sex offender.

Hoping to avoid a gunfight with Richardson, a man with a history of violence, police tailed him for two days, Tustin police Chief Scott Jordan said. When he checked in with his parole officer for a scheduled drug test Feb. 22, 2007, they moved in. He gave up without a struggle.

Not even Richardson's family seemed surprised to hear about the arrest, including an aunt who emailed the Register to say: "We all knew this day would come. Jail is his home."

HISTORY OF VIOLENCE

In September 1990, a San Dimas woman woke up to find her ex-boyfriend in her bedroom, according to Los Angeles Superior Court records. He raped her, told her to take a shower, and raped her again. He then told her she was coming with him to his court hearing, and then they went to eat at Denny's, according to court records. That man, police and prosecutors say, was Jason Richardson.

He told police it was consensual; she said it was rape.

Less than a year later, in August 1991, Richardson was supposed to take another ex-girlfriend to a movie. Instead, he drove her to a remote canyon, where he hit and raped her inside his camper shell of his pickup, according to court records. He raped her again and then dropped her off in the middle of the street, court records said. She ran to a house for help.

Richardson was convicted of the two rapes. At sentencing, Judge Gregory C. O'Brien recapped a letter written to the court by Richardson's second victim, explaining why she told police she had been raped by Richardson:

"She was getting even with him. That she was mad at him at the time but she loves him unconditionally and deeply now and wants court to know that he's innocent."

Richardson was also arrested in San Diego County on suspicion of rape by force or fear, but prosecutors there declined to file charges.

Richardson's mother had blamed herself, in part, for her son's misdeeds, according to a letter written to a Los Angeles Superior Court judge after his rape convictions. She had to work and unknowingly left him alone with predatory babysitters who molested him, she wrote.

"He was with babysitter after babysitter (me) never knowing what they were doing to him or the pain he endured," Richardson's mother, Jeannie Richardson Hewitt, wrote to the court. "There was nothing I could do for him but wipe the tears away and promise things would get better."

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