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PRESS RELEASE

For Immediate Release

Date: June 4, 2021
Re: Melvin Lee Dismuke
“Three strikes” inmate denied parole

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Modesto, California - Stanislaus County District Attorney Birgit Fladager announced today that Melvin Dismuke, age 45, was found unsuitable for parole at a June 2, 2021, hearing of the State Board of Parole Hearings held at Kern Valley State Prison in Delano, California. Deputy District Attorney Kirk Brennan appeared at the hearing on behalf of the People.

On April 13, 2000, while on parole, Dismuke sped through a school zone while children were in front of the school. When officers attempted to pull him over, Dismuke led officers on a dangerous high-speed pursuit swerving in and out of traffic. After crashing into another vehicle, the defendant fled on foot but was captured. Officers found cocaine, hypodermic needles and ammunition in the car Dismuke was driving and recovered two pistols that Dismuke tossed from the car during the chase. Dismuke admitted fleeing from police and told officers he was having a hard time adjusting after his recent release from prison and was planning on selling the hypodermic needles to make money. On January 15, 2002, a Stanislaus County jury found Dismuke guilty of transportation of a controlled substance, being a felon in possession of a firearm and evading a peace officer.

On March 29, 2001, while being transported from jail to court, Dismuke threatened to kill a sheriff's deputy after the deputy attempted to search Dismuke. Dismuke told the deputy “you are a marked man” and “you are a dead man.” After a struggle, Dismuke was searched. He eventually admitted he had a letter hidden in his rectum which had prison gang rules written on it. Dismuke pled guilty to threatening to commit a crime and participation in a street gang on January 15, 2002.

Dismuke had prior felony convictions for robbery in 1999 and residential burglary in 1996, both of which are “strikes” under California’s “Three Strikes” law. On May 2, 2003, Judge Beauchesne used those prior convictions to sentence Dismuke to 25 years-to-life in state prison.

On October 16, 2017, Dismuke pled guilty to possession of a weapon while in prison. He was sentenced to an additional four years in prison to be served consecutively to the life sentence he was already serving.

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During his incarceration Dismuke has committed over 33 serious rules violations and 17 less serious violations. In December 2019, Dismuke stabbed another inmate in the face with a sharpened metal object known as a “shank.” A search of his cell ten days after the stabbing revealed two additional shanks.

Given his long criminal history, his subsequent felony conviction while in prison custody and the recent stabbing of another inmate, Dismuke, through his attorney, requested he be allowed to stipulate to a three-year denial of parole. Prosecutor Brennan argued for a minimum ten-year denial in light of Dismuke’s continued prison violence and serious rule violations.

The Board of Parole Hearings allowed Dismuke to stipulate to just a three-year denial because Dismuke was only 25 years old when he committed his commitment offenses and is considered a “youthful offender” entitled to special consideration. The Commissioners also felt that Dismuke’s request for a stipulated three-year denial showed some self-awareness and this was also his first parole hearing since being sentenced to prison.

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