



Office of the District Attorney Stanislaus County

Birgit Fladager
District Attorney

Assistant District Attorney
David P. Harris

Chief Deputies
Marlisa Ferreira
Jeffrey M. Laugero
Wendell Emerson
Michael D. Houston
Mark Zahner

Bureau of Investigation
Chief Terry L. Seese

PRESS RELEASE

For Immediate Release

Date: July 20, 2021
Re: Scott Avery Fizzell
Convicted Killer Denied Parole

For More Information Contact:

John Goold, Public Information Liaison
Phone: (209) 525-6909

Modesto, California - Stanislaus County District Attorney Birgit Fladager announced today that Scott Avery Fizzell, age 51, of Modesto, was found unsuitable for parole during a hearing of the State Board of Parole Hearings held on July 15, 2021 at Mule Creek State Prison. Deputy District Attorney Melissa Chichportich appeared at the hearing on behalf of the People.

On March 25, 1988, around 11:30 pm, Fizzell was prowling homes in Modesto looking for one he could burglarize in the hopes of using stolen goods to feed his methamphetamine habit. He wore camouflage clothing and carried a burglary kit that included gloves and a Halloween mask.

Fizzell eventually entered a home belonging to Deborah "Debi" Whitlock through a backyard sliding glass door. Walking down the hallway, he saw Mrs. Whitlock sleeping in one of the bedrooms and a child sleeping in another bedroom. At first, Fizzell only took a purse containing \$7 from the kitchen and left. Instead of walking away, Fizzell returned to the house intent on violently sexually assaulting Mrs. Whitlock.

Grabbing a butcher's knife from the victim's kitchen, Fizzell walked into Mrs. Whitlock's bedroom and began touching her. When she awoke, Fizzell grabbed her by the hair and slit her throat multiple times. Fizzell then pulled Mrs. Whitlock's dead body into the hallway and sexually assaulted her corpse, leaving DNA evidence behind. Afterwards, Fizzell fled the house. At approximately 5:30 a.m., Harold Whitlock, the victim's husband, arrived home and discovered her partially nude body lying in the hallway outside of the master bedroom.

For nearly a decade, law enforcement pursued this case, intent on securing justice for the victim and her family. Over the course of that investigation, Fizzell was identified as a suspect. He was located and arrested in Arkansas on January 21, 1997. A sample of his DNA matched the DNA evidence recovered from the victim's body. He was extradited to Stanislaus County and charged with murder and residential burglary.

Office: 832 12th Street, Suite 300 Modesto, CA 95354 Mailing: PO BOX 442 Modesto, CA 95353
Telephone: (209) 525-5550 Fax: (209) 558-4027 www.stanislaus-da.org



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Upon his return to Stanislaus County, Fizzell pled guilty to the murder and burglary charges on June 23, 1999. In a probation report prepared prior to sentencing, Fizzell admitted committing the murder and burglary, claiming to be under the influence of methamphetamine at the time. He was sentenced by Judge Al Girolami to serve a total of 31 years to life in state prison on both charges.

Since going to prison, Fizzell has engaged in various rules violations including destroying state property (1999), refusing to work, disobeying an order (2017), failing to report to his assignment (2000), being absent from his assignment (2018), fighting (2013), possessing inmate manufactured alcohol for distribution (2001), obscuring the window into his cell and sexual disorderly conduct (2020). A recent comprehensive risk assessment conducted by a prison psychologist gave the opinion that Fizzell continues to pose a high risk for violence if he were to be released into the community. Additionally, the psychologist found that since 2018, Fizzell's risk of sexual violence had increased from 48% to 88.7%.

At the parole hearing on July 15, prosecutor Chichportich argued against Fizzell's release on parole given his institutional history and high risk to public safety. The Board of Parole Hearings agreed and denied parole for five years.

This was Fizzell's second hearing. In 2016 he waived his right to a hearing for a period of 2 years and in 2018 Fizzell stipulated to unsuitability for a period of three years. Fizzell will be scheduled for another hearing in 2026. That date may be advanced to an earlier date if the Board of Parole Hearings believes there have been any changed circumstances before that time.

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