



# Office of the District Attorney Stanislaus County

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## **PRESS RELEASE**

### **For Immediate Release**

Date: November 22, 2022  
Re: Crispin Gutierrez Lupercio  
Murderer Denied Parole

### **For More Information Contact:**

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**Modesto, California** - Stanislaus County District Attorney Birgit Fladager announced today that Crispin Gutierrez Lupercio, age 57, of Guadalajara, Mexico was found unsuitable for parole during a November 10, 2022 hearing of the State Board of Parole Hearings held at the Correctional Training Facility in Soledad. Deputy District Attorney Victoria Vasquez appeared on behalf of the People.

In 2001, Lupercio beat his then-girlfriend, Janet Hicks, after becoming jealous of her relationship with her friend, Douglas Kent. When Hicks decided to end things between them, Lupercio began leaving her threatening messages stating he would kill her saying, "Don't make me do what I'm going to do" and threatening to kill Hicks if she did not come back to him. Kent suggested that she speak to Lupercio directly and, on November 5, 2001, both of them went to meet with Lupercio at his tent in Waterford. After visiting and smoking methamphetamine together, Lupercio asked for a ride to the store which, despite misgivings, they agreed to do.

As they were driving, Lupercio yelled, "Hey, Doug." When Hicks turned around, she saw Lupercio in the back passenger seat holding a gun. She yelled a warning to Kent as she jumped from the moving vehicle. As she did so, Lupercio shot her twice in the right side of her buttocks. When Kent tried to escape, Lupercio pulled him back inside the car, placed the gun at Kent's head and shot him dead. Hicks survived but with substantial injuries.

Two days later, on November 7, 2001, law enforcement found Lupercio in an apartment in Jamestown. When they entered, he tried to reach for a gun under a nearby couch but was arrested before he could use it. That gun was later determined to be the murder weapon. They also located a letter Lupercio had written to Hicks blaming her for Kent's murder and threatening to harm her. Even while in jail awaiting trial, Lupercio wrote multiple letters to Hicks quoting scripture regarding sacrifices and detailing what a wife's duties were.

On August 29, 2003, a Stanislaus County Superior Court jury found Lupercio guilty of the first degree murder of Douglas Kent, the premeditated attempted murder of Janet Hicks, being a felon in possession of a firearm and an enhancement for personally using a firearm causing death. On

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October 3<sup>rd</sup>, 2003, Judge Hurl W. Johnson sentenced Lupercio to serve a total of 75 years to life in prison with the possibility of parole. Lupercio became eligible for parole recently due to the “elder parole” guidelines that an inmate over the age of 50 years old qualifies for early parole consideration.

While in custody, Lupercio has repeatedly violated prison rules including assaulting an inmate, refusing to report to his work assignment on multiple occasions, refusing to move cells when ordered to by correctional staff and possessing a cell phone.

A prison psychologist who interviewed Lupercio gave the opinion that Lupercio still poses a “moderate” risk for future violence if he were to be released into the community.

Prosecutor Vasquez argued against Lupercio’s release telling the Board that even though Lupercio had only recently begun attending programming courses, his letters of remorse showed he was still harboring the belief that Hicks was his property at the time when he stated, “I learned my woman was with Mr. Douglas Kent.” The prosecutor also highlighted Lupercio’s domestic violence history prior to the murder and his threats to kill others who would not follow his rules. She also argued Lupercio lacked sufficient programming regarding anger, violence and abuse of women.

The Board heard from victim Hicks and the mother of Douglas Kent. Both expressed extreme fear of Lupercio should he be released given his prior threats on both of their lives and his recent parole plans suggesting he would like to be released in an area close to their homes.

Following deliberations, the Board denied parole for just three years finding Lupercio poses an unreasonable risk to public safety. The Board found Lupercio’s pattern of violent behavior against vulnerable victims was an aggravating factor and that although Lupercio is headed in the right direction with programming, it was insufficient at this time. The Board also found Lupercio’s rule violation when he was over the age of 50 reflected there is no substantial offender change.

This was Lupercio’s first parole hearing. He may request to have his next hearing advanced sooner than three years should a change in his circumstances support it.

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