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PRESS RELEASE

For Immediate Release

Date: March 7, 2022
Re: Ty Toey
Convicted murderer denied parole

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Modesto, California- Stanislaus County District Attorney Birgit Fladager announced today that Ty Toey, age 46, of Stockton was found unsuitable for parole during a February 24, 2022 hearing of the State Board of Parole Hearings held at Solano State Prison in Vacaville, CA. Deputy District Attorney Kirk Brennan appeared at the hearing on behalf of the People.

In 1994, Toey was a member of a Stockton criminal street gang known as the Asian Street Walkers. On January 11, 1994, Toey and other gang members came to Modesto armed with handguns. Once they arrived, they decided to rob a 14-year-old girl they found walking with her boyfriend near Roselawn and Tuolumne in Modesto. After demanding money and finding out she didn't have any, they ripped a necklace from her neck. When the girl's boyfriend attempted to intervene, Toey shot the boyfriend in the leg. Another man from Toey's group also began shooting and two of Toey's gang colleagues, Seng Soumpholphakdy and Bounkong Nasaravanh, were killed in the gunfire. Responding Modesto police officers stopped the suspects as they drove away from the crime scene.

On March 16, 1995, a Stanislaus County Superior Court jury convicted Toey of two counts of murder, two counts of attempted murder, two counts of assault with a deadly weapon and robbery. The jury found true special allegations related to the use of a gun for each count. On May 4, 1995, Judge David Vanderwall sentenced Toey to serve 67 years and 8 months to life in state prison.

Over the last 26 years in prison, Toey has committed various rule violations including stealing state property, refusing to work and manufacturing alcohol. A prison psychologist who interviewed him in 2021 noted that Toey also admitted using a cellphone, selling alcohol and participating in one cell fight and a yard fight. The psychologist opined that Toey still represented a moderate risk for violence to the community if he were to be released.

During the hearing on February 24th, prosecutor Brennan argued against Toey's release on parole and for continued confinement based on Toey's lack of insight into the causative factors of his commitment offense, his failure to acknowledge and address his psychological factors, a lack of

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adequate parole plans and the continuing safety risk he poses to the community if released. The Board of Parole Hearings agreed and denied parole for three years.

At the time of Toey's sentencing in 1995, he would have had to serve 50 years of his sentence before being eligible for parole. However, due to the passage of Senate Bill 261 by the State Legislature, and signed by Governor Brown, he may be released earlier. That bill allows "youthful offenders" to be released early on parole in certain circumstances, such as when the multiple murders committed occurred when they were under the age of 23. Toey was 18 at the time of the killings.

This was Toey's second parole hearing. Parole was previously denied in 2018 for three years. He will be eligible for another parole hearing in 2025, however, that date may be advanced based on changes in the law.

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