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PRESS RELEASE

For Immediate Release

Date: January 27, 2023
Re: Johny Heu
Attempted Murderer Granted Parole

For More Information Contact:

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Modesto, California - Stanislaus County District Attorney Jeff Laugero announced today that Johny Heu, age 40, of Modesto was found suitable for parole during a January 11, 2023, hearing of the State Board of Parole Hearings held at the California State Prison in Solano. Special Prosecutor Holly MacKinnon appeared at the hearing on behalf of the People.

On May 14, 2001, Heu and three friends drove to the victim's residence. Heu had previous contacts with the victim and told his friends, "I've got a beef with that fool." The victim's father saw Heu walk into the front yard with a handgun. Heu went to the front door and yelled for the victim to come outside. Heu then walked around to the front window, which faced the victim's bedroom, and fired a shot into the bedroom. The bullet penetrated the exterior wall and grazed the victim's stomach. Heu then went and broke several windows of the victim's vehicle parked on the property before he fled the scene.

Heu was convicted by a Stanislaus County Superior Court jury of premeditated attempted murder, assault with a deadly weapon, and shooting at an inhabited dwelling. On June 6, 2003, Judge Roger Beauchesne sentenced Heu to serve 27 years to life in state prison. In 2004, the Fifth District Court of Appeals affirmed inmate Heu's conviction.

Heu was 19 years at the time he committed these crimes. In 2018 a change in California law deemed him a "youthful offender" requiring the State Board of Parole Hearings to give great weight to the diminished capacity of youth as compared to adults in determining whether to keep such an inmate in prison custody or grant parole.

Prosecutor MacKinnon asked the Board to deny parole, pointing out that Heu needed a longer period of positive sustained self-help programming to ensure Heu would stay away from negative peer associations which contributed to his past violence. Prosecutor MacKinnon argued that without further programming, Heu was still a current threat to public safety.

At the conclusion of the hearing, the Board of Parole Hearings granted parole, finding that Heu did not pose an unreasonable risk to public safety. The Board noted Heu had not received any rule violations since 2015 and had actively participated in programming including anger management,

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victim awareness and other self-help programs. The Board gave great weight to the youthful offender parole considerations given Heu's age of 19 years old at the time of the offense. In addition, the Board felt he had a release plan which included transitional housing, vocational opportunities, programming, and family support which mitigated any safety risk he may pose to the community.

This was Heu's second parole hearing. He was previously denied parole in 2021. The Board's decision now advances to the Decision Review Unit which has 120 days to review the grant of parole. If the Decision Review Unit approves the decision, Governor Newsom will then have 30 days to reverse, modify, refer to the full Board sitting *en banc*, or let the grant of parole stand.

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