



# Office of the District Attorney Stanislaus County

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## **PRESS RELEASE**

### **For Immediate Release**

Date: October 5, 2023  
Re: Darnell Green  
Convicted Robber Granted Parole

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

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Modesto, California - Stanislaus County District Attorney Jeff Laugero announced today that Darnell Green, age 52, of East Palo Alto was found suitable for parole at a September 21, 2023 hearing of the State Board of Parole Hearings in Jamestown, at the Sierra Conservation Center. Deputy District Attorney Victoria Vasquez appeared at the hearing and argued for continued confinement based on Inmate Green decades of criminal history, recent report of alleged narcotics activity and substance abuse use. The Board of Parole Hearings disagreed and granted Inmate Green parole.

Armed and masked on December 3, 1997, at 9 p.m., 28-year-old Inmate Green and others kicked in the door of the residence of someone he knew. A three-year-old child and other adults were present in the home. At least three adults identified Inmate Green as being the person who ordered another stripped and his buttocks searched for drugs and money. At trial, some forgot what they had told law enforcement about the identity of Inmate Green. One victim testified after the robbery that the victim received pages with code 187 (the Penal Code section for murder) several times in one night the victim received about 45 hang up calls. Another victim also said that a day or two after the robbery the number 105 was written in dust on the victim's window. 105 was associated with the Oak Street Posse. Inmate Green was associated with this gang.

Following a jury trial, the Honorable David G. Vander Wall sentenced Inmate Green to 48 years in prison. After Inmate Green's appeal his sentence was reduced to 45 years and 8 months for a count to run concurrently.

In 2021, the Secretary of California Department of Corrections and Rehabilitation recommended that Inmate Green's sentence be recalled and that he be resentenced based on his educational development, his fitness, and his lack of discipline since 2014. After a hearing and review, in 2021, the Honorable Thomas Zeff, Judge of the Superior Court in Stanislaus County, declined the invitation to recall and resentence Darnell Green. In July of 2022, Governor Newsom commuted Inmate Green's sentence making him eligible for parole fifteen years early. Prior to his December 2022 hearing, confidential information was submitted to the panel suggesting Inmate Green had been engaged in narcotics activity in the prison. At the hearing, Inmate Green requested a continuance of his hearing for further investigation of the memo.

Inmate Green appealed the denial of resentencing and due to a change in the law, the matter was remanded back to the Stanislaus County Superior Court. After briefing and hearing, the Honorable Carrie Stephens reduced Inmate Green's sentence to 39 years.

The prosecutor argued that Inmate Green's substantial criminal history, coupled with his very recent programming to deal with his substance abuse issues and reports that he was still continuing narcotics activity while in prison supported that Inmate Green should remain in prison.

While the Board agreed that Inmate Green's substance abuse programming should have been started earlier, the Board found Inmate Green did not pose an unreasonable risk to public safety as he had matured since the commission of his offenses, he had internalized his self help programming while in custody and he had been discipline free since 2014 when he tested positive marijuana. The Board also mentioned the investigation into the memo regarding Inmate Green's alleged narcotics activity in 2022 was inconclusive, but that was not stated in the August 2023 memo provided to the Office of the District Attorney.

This was Inmate Green's initial suitability hearing. The decision of the grant is not final and will be reviewed by the Board of Parole within 120 days. After their recommendation, the grant will go to the Governor for review within 30 days of the Board of Parole's review.

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