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PRESS RELEASE

For Immediate Release

Date: March 8, 2024
Re: David Barajas
Convicted Killer Denied Parole

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Modesto, California - Stanislaus County District Attorney Jeff Laugero announced today that David Barajas, age 50, of Modesto was found unsuitable for parole during a March 6, 2024, hearing of the State Board of Parole Hearings held at California State Prison, Corcoran in Corcoran. Deputy District Attorney Holly MacKinnon appeared at the hearing on behalf of the People.

On September 16, 2000, 26-year-old David Barajas and two friends arrived at a Modesto bar just before midnight. The three became involved in a confrontation with a group of other patrons. Barajas drew a handgun from his pants and shot Sidronio Alvarado Perez five times at close range, killing him. Mr. Perez's brother was in the bar restroom when he heard the shots. He ran to his brother and held Mr. Perez as he died. Witnesses at the jury trial testified that after shooting Mr. Perez five times, Barajas pointed his gun at others and pulled the trigger twice, before he was tackled and subdued.

On January 16, 2002, a Stanislaus County Superior Court jury convicted Barajas of second-degree murder and also found true the allegation that he personally used a handgun. The Honorable Judge G. Ritchey sentenced Barajas to 40 years-to-life in state prison.

On January 1, 2021, the California Legislature enacted AB 3234, modifying Penal Code section 3055 to lower the age of qualification for the statutory Elderly Parole Program to individuals 50 years or older, who have served 20 years or more of continuous incarceration. Barajas became eligible for parole due to this change in the law when he turned 50 in September of 2023.

A prison psychologist who interviewed Barajas prior to the parole hearing gave the opinion that he currently posed a high risk for future violence if he were to be released into the community. Barajas regularly violated prison rules up until 2022 and had participated in almost zero self-help rehabilitation programming. Barajas still claims he killed Mr. Perez in self-defense and minimized or denied his behavior in his prison rule violations.

Prosecutor MacKinnon asked the Board to deny Barajas parole due to his need for rehabilitative programming in numerous areas including substance abuse, anger management, and victim awareness. MacKinnon argued that the callousness of the murder combined with his lack of any insight and continual rules violations made him an unreasonable risk to the community if released.

After deliberations, the Board denied parole for a period of five years. The Board was required to give considerable weight to Elder Parole considerations, but found those factors were outweighed by the fact that Barajas had failed to participate in self-help rehabilitative programming, education or vocational training and continued to violate prison rules. The Board found Barajas still could not conform his conduct to the prison rules and will likely be unable to follow the law if released. The Board encouraged Barajas to participate in more programming and to address his continued criminal mindset.

This was Barajas' first parole hearing. He will be eligible for another parole hearing in 2029 although that date may be advanced if he can demonstrate to the Board a change in circumstances.

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