



Office of the District Attorney Stanislaus County

Jeff Laugero
District Attorney

Assistant District Attorney
Mark Zahner

Chief Deputies
Marlisa Ferreira
Wendell Emerson
Michael D. Houston
Rick Mury
Joseph Chavez

Bureau of Investigation
Chief Terry L. Seese

PRESS RELEASE

For Immediate Release

Date: October 25, 2024
Re: David Paul Smith
Convicted Murderer

For More Information Contact:

Wendell Emerson, Public Information Liaison
Phone: (209) 525-6909

Modesto, California - Stanislaus County District Attorney Jeff Laugero announced today that David Paul Smith, age 60, of Gustine was denied parole after an October 24, 2024, initial parole hearing of the State Board of Parole Hearings held at Los Angeles County State Prison in Lancaster, California. Deputy District Attorneys James H. Langston appeared at the hearing on behalf of the People.

Smith was convicted of first-degree murder with the use of a deadly weapon in 1984 and is serving a 26-year-to-life prison sentence for the murder of Coy Mashburn. Smith beat Mr. Mashburn with a claw hammer and stabbed him in the head with a Phillips screwdriver.

While serving his life sentence Smith was convicted of two separate assaults on other prisoners with a deadly weapon in 2003 and 2008. The 2008 assault required the victim to receive one-hundred and twenty-three stitches and a nerve implant for his arm. These convictions resulted in additional consecutive 25-year-to-life *Thompson* sentences.

A psychologist who interviewed Smith on July 12, 2024, gave the opinion that Smith poses a moderate (high moderate) risk for violence. This opinion included a consideration of Smith's history of gang involvement, violent behavior, and recent drug use in prison.

At the initial parole hearing on October 24, 2024, Smith told the Board he was suitable for parole despite his current drug addiction. Smith told the Board that he was not previously a gang member, but that he was an "associate to a gang member." Upon further questioning by Deputy Commissioner Denvir, Smith then asked through his attorney for a stipulation to unsuitability for parole for three years. Prosecutor Langston requested that the denial period be for seven years. Following brief deliberations, the Board offered Smith a five year denial period and Smith entered a stipulation to the denial.

Commissioner Kozel stated that Smith lacked accountability, and that Smith's antisocial behavior needed to stop. Deputy Commissioner Denvir commented that it is not often that an inmate commits rule violations for attempted murder and receives two additional life terms in

prison. The Board adopted the psychologist's recommendations that Smith should have an extended period of disciplinary-free behavior, abstinence from drugs and alcohol, participate in prosocial activity, and complete more programming to address his risk factors.

At the conclusion of the hearing, the Board denied parole for five years. This was Smith's first parole hearing. Smith will be eligible for another hearing in 2029, although he may petition the Board of Parole Hearings to advance that date if he can demonstrate a change in circumstances.

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