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PRESS RELEASE

For Immediate Release

Date: August 11, 2016
Re: Parole Denial/Samuel Ray Bergara

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Modesto, California - Stanislaus County District Attorney Birgit Fladager announced today that Samuel Ray Bergara, age 34, of Modesto was found unsuitable for parole at an August 9, 2016 hearing of the State Board of Parole Hearings conducted at Salinas Valley State Prison in Soledad, California. Deputy District Attorney Merrill Hoult appeared at the hearing and argued for continued confinement based on the inmate's lack of insight into the crime, his lack of remorse, and the current safety risk he poses to the community if released. The Board of Parole Hearings agreed and denied parole for 5 years.

On December 31, 1998, Bergara attended a New Year's Eve party where his cousin was involved in a fight. Bergara, who was 17 years old at the time, was a member of the Four Corners criminal street gang. Approximately two hours later, Bergara armed himself with a gun and went to a party at a nearby house in Modesto so he could confront the person who fought his cousin. Although Bergara did not locate his cousin's assailant, Bergara decided to fire several shots through a window into the home. Bergara shot Victim Joe Ables three times killing Mr. Ables. Victim Richard Villalovos was shot once but survived. Victim Ernie Eddings narrowly avoided being struck by a bullet.

On November 19, 2001, Bergara entered into a negotiated settlement before trial. Bergara pleaded guilty to the voluntary manslaughter of Mr. Ables and admitted enhancements for personally using a gun and committing the offense for the benefit of a street gang. Bergara also pleaded guilty to the attempted voluntary manslaughter of Mr. Villalovos and Mr. Eddings. Bergara was sentenced to 20 years in state prison.

While in prison custody, Bergara became a member of the Northern Structure prison gang. Bergara engaged in several rule violations involving violence or weapons in 2003 and 2004. In 2003, Bergara committed a felony assault likely to cause great bodily injury against another prison inmate and was sentenced to an additional four years in prison. Although Bergara was initially scheduled to be released from prison in 2022, he became eligible for early release on parole due to Senate Bill 260. This bill allows youthful offenders to be released on parole early in certain circumstances if they committed their crimes while under the age of 18.

In denying parole, the Board found that Bergara lacked remorse and lacked insight into why he committed the crimes. The Board felt Bergara still currently posed an unreasonable risk to public safety if released. This was Bergara's first parole hearing. He will be scheduled for another parole hearing in 2021.

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