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PRESS RELEASE

For Immediate Release

Date: July 13, 2017
Re: Kenneth Wayne Smith
Convicted murderer parole denial

For More Information Contact:

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Modesto, California - Stanislaus County District Attorney Birgit Fladager announced today that Kenneth Wayne Smith, age 38, of Modesto, agreed to a three-year parole denial during a July 5, 2017 proceeding of the State Board of Parole Hearings held at High Desert State Prison in Susanville. Deputy District Attorney Michael Houston appeared at the hearing on behalf of the People.

On June 9, 1997, Smith was with friends at Kewin Park in Modesto when an argument started between one of Smith's friends and members of another group. During this argument, Smith pulled out a gun and pointed it at one person in the other group before firing a shot into the ground. As the other group ran away, Smith began shooting at them. One of his bullets struck a female in the back and killed her. Several others were also hit: one in the thigh; one in the knee and hand and another in the legs.

A jury convicted Smith of second degree murder with a firearm. The jury also convicted Smith of assault with a firearm on each of the other three victims and found that he personally inflicted great bodily injury and used a firearm on each one. The jury also found Smith guilty of assault with a firearm and personally using a firearm. He was sentenced to 31 years to life in prison.

Smith agreed to a three-year denial. He should be eligible for another parole hearing in 2020, however, he was 18 at the time of the killing and is subject to recent changes in the law under the Youthful Offender Act which may accelerate his next hearing date.

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