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PRESS RELEASE

For Immediate Release

Date: November 24, 2020
Re: Joan Ochoa aka Juan Ochoa
Murderer denied parole

For More Information Contact:

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Modesto, California - Stanislaus County District Attorney Birgit Fladager announced today that Joan Ochoa, age 32, of Modesto, was denied parole during a November 19, 2020, hearing of the State Board of Parole Hearings held at Sacramento State Prison. Special Prosecutor Amy Elliott Neumann appeared at the hearing on behalf of the People.

On March 23, 2006, Ochoa, wearing a red hat, and victim Jair Garcia, wearing blue clothing, got into an argument in front of a smoke shop on Crows Landing Road in Modesto that ended when Ochoa pulled out a handgun and shot Garcia several times, killing him. Ochoa then got into his car and drove away. Several witnesses identified Ochoa as the perpetrator. He was subsequently arrested and charged with the murder. Jair Garcia was only 18 years old at the time he was killed.

On February 16, 2010, Ochoa pled guilty to second degree murder before Judge Ricardo Cordova. Cordova sentenced Ochoa to serve 15 years to life in state prison.

Since being in prison custody, Ochoa has been involved with the Norteno gang and received counseling memos for promoting gang activity through written material. In 2013, he participated in a prison riot and was cited for destroying state property. He also received six rules violations for possessing a cellphone in prison. Two tattoos on his head indicated he was associated or involved with the Nuestra Familia prison gang, something he denied during his assessment with a prison psychologist. In a report to the Board, the psychologist gave the opinion that Ochoa presented a high risk for violence if he were to be released into the community.

The victim's family also appeared at the hearing and expressed fear over Ochoa's potential release, believing they would be in danger if he were to be paroled.

Special Prosecutor Neumann argued to the Board for Ochoa's continued confinement based on his lack of self-help programming, his record of institutional discipline and demonstrated lack of insight into what caused him to commit his crimes.

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After deliberations, the Board denied parole for seven years, noting that Ochoa lacked credibility in his statements to the Board denying obvious gang involvement and his significant history of prison rule violations.

This was Ochoa's first parole hearing. Pursuant to recent Youthful Offender Legislation, Ochoa has a right to request his next hearing be advanced to an earlier date if he believes he has made progress towards release. Otherwise his next hearing date will be sometime in 2027.

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