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PRESS RELEASE

For Immediate Release

Date: March 7, 2022
Re: Darnell Leo Green
Commutation recommended for gang member
convicted of home invasion robbery

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Modesto, California - Stanislaus County District Attorney Birgit Fladager announced today that Darnell Leo Green, age 51, of Modesto, has been recommended for commutation of his prison sentence following a February 14, 2022 hearing of the Executive Board of the State Board of Parole Hearings. Deputy District Attorney Victoria Vasquez appeared at the hearing on behalf of the People and argued for Green's continued confinement.

On December 3, 1997, Green and several codefendants committed a violent residential robbery. Wearing masks and carrying guns, they kicked in the front door of a house belonging to someone they knew. Inside were a 3-year-old child and five adults who were ordered to lie face down on the floor. Green ordered one of the adult male victims to remove his clothes before searching the man's buttocks for drugs and money. Three of the adults identified Green as one of the robbers. One witness was later threatened with death. Another victim had the number associated with Green's criminal street gang written on the window of their home.

Green was convicted of robbery in concert of an inhabited dwelling along with an enhancement for using a firearm, two counts of attempted robbery in concert with use of a firearm, conspiracy to commit robbery, criminal gang activity with use of a firearm and being a felon in possession of a firearm.

On November 24, 1998, Green was sentenced to serve 48 years in prison. In 2001, his convictions were upheld on appeal, however the Appellate Court found error with the sentencing and reduced his sentence to 45 years and eight months.

Since going to prison, Green has violated prison rules by refusing to follow the orders of custodial officers on multiple occasions. He was arrested for bringing a controlled substance into the prison in 2001, engaged in a prison riot in 2006 and tested positive for using marijuana while in custody in 2014.

In 2019, Green applied to the governor for commutation of his sentence because Green had previously been twice convicted of a felony which made him ineligible for pardon under the law. Green has, in fact, been convicted of multiple felonies including one conviction where he held a gun to the female victim's head and threatened to kill her.

In February of 2021, the California Department of Corrections and Rehabilitation recommended Green be released from prison. The following August, during a hearing in Stanislaus County Superior Court on the recommendation, Green submitted proof of educational courses he had completed, a certificate reflecting completion of an entrepreneurial program and presented letters to the court ensuring his employment and housing if he were released. Green's spouse and co-defendant in the original case also appeared and argued in support of Green's release. At the conclusion of that hearing, Judge Thomas Zeff denied the request, leaving Green in prison custody to finish out his sentence.

On February 14, 2022, the Executive Board of the Board of Parole hearings held yet another hearing on Green's 2019 request for commutation. At that hearing, prosecutor Vasquez argued against Green's release, arguing that Green had not adequately addressed his addiction issues, showed a lack of remorse for his actions and cited, his past history of violence and the risk Green still posed to public safety should he be released. The following day, the Board of Parole Hearings recommended to the Governor that Green be released from prison custody.

Green has served only 24 years of his 45-year prison sentence.

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