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PRESS RELEASE

For Immediate Release

Date: July 18, 2022
Re: Anthony Neal Gunter
Three Strike Inmate Denied Parole

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Modesto, California - Stanislaus County District Attorney Birgit Fladager announced today that Anthony Neal Gunter, age 63, of Modesto was found unsuitable for parole during a June 14, 2022 hearing of the State Board of Parole Hearings held at Mule Creek State Prison in Ione. Deputy District Attorney Victoria Vasquez appeared at the hearing on behalf of the People.

On March 19, 2005, Gunter was arrested for transporting heroin for the purpose of sales. He pled no contest to that offense on August 29, 2006 and admitted having suffered two prior “strike” convictions under California’s “Three Strikes” law – one for a 2001 robbery in Oregon and the second for a 1980 conviction where he sexually assaulted a 14-year-old girl. Further, Gunter had been convicted in 1996 of failing to register as a sex offender. On September 10, 2007, Judge Hurl W. Johnson sentenced Gunter to serve 25 years to life in state prison as a third striker for the drug trafficking offense. On July 9, 2009, Gunter’s conviction and sentence were upheld on appeal. The only reason Gunter is still serving a life term for the drug trafficking felony after the 2012 passage of Proposition 36 (which modified California’s “Three Strikes” law to require that both the prior convictions and the current conviction be classified as so-called “serious” or “violent” felonies) is due to an exception when one of the prior “strikes” is a qualifying sex offense.

After being sent to prison, Gunter was found to be in possession of five stabbing instruments that were connected to the 1982 murder of a fellow inmate. Gunter also repeatedly violated various prison rules including being disrespectful and threatening to correctional staff as well as ignoring orders. On March 30, 2022 he was found to be in possession of an altered “hot pot” considered to be a destructive device and contraband.

A prison psychologist who interviewed Gunter gave the opinion that he continued to pose a “moderate risk for future violence” should he be released into the community on parole.

Following deliberations, the Board denied Gunter’s release on parole for a period of three years, finding him to be an unreasonable risk of danger to society if released. In support of their decision, the Board cited factors including Gunter’s demonstrated lack of self-control, his credibility issues

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during testimony before the Board, his failure to retain or internalize his programming and having incomplete parole plans.

This was Gunter's first parole hearing. His next parole consideration will be scheduled in three years, however, he may petition the Board for an earlier date if he can demonstrate a change in circumstances.

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