



Office of the District Attorney Stanislaus County

Jeff Laugero
District Attorney

Assistant District Attorney
Mark Zahner

Chief Deputies
Marlisa Ferreira
Wendell Emerson
Michael D. Houston
Rick Mury
Joseph Chavez

Bureau of Investigation
Chief Terry L. Seese

PRESS RELEASE

For Immediate Release

Date: June 24, 2024
Re: Jose Lucho Gomez
Convicted Kidnapper Denied Parole

For More Information Contact:

Wendell Emerson, Public Information Liaison
Phone: (209) 525-5509

Modesto, California - Stanislaus County District Attorney Jeff Laugero announced today that Jose Lucho Gomez, age 51, of Modesto was found unsuitable for parole during a May 29, 2024, hearing of the State Board of Parole Hearings held at Pelican Bay State Prison, in Crescent City. Deputy District Attorney Holly MacKinnon appeared at the hearing on behalf of the People.

On March 4, 1995, 21-year-old Jose Lucho Gomez confronted his first victim outside an Arby's Restaurant in Modesto. Gomez forced the victim into his vehicle at gunpoint. Gomez demanded his money, then ordered the victim out of the vehicle. On April 5, 1995, Gomez confronted his second victim at a Quik Stop Store in Manteca. Gomez forced this victim at gunpoint into his vehicle. Gomez demanded the victim's money, then drove away leaving the victim on the side of the road. Within an hour, Modesto Police Department Officer Nicholas Chilles observed Gomez driving the victim's vehicle erratically and attempted a traffic stop. Gomez accelerated and a chase ensued. Gomez collided into the porch of a home and fled the vehicle. He ran a short distance then turned and fired a shot which shattered Officer Chilles' patrol car window and struck the officer in the elbow. Gomez then approached the patrol car and fired again and again at Officer Chilles, hitting him numerous times in the shoulder. The officer tried taking evasive action with his patrol car. Gomez approached the patrol car again and aimed his firearm directly at Officer Chilles. Just as Gomez was about to pull the trigger, Officer Chilles was able to return fire, causing Gomez to run away into a nearby residence's backyard.

In October of 1995, a Stanislaus County Superior Court jury convicted Gomez of nine felony and two misdemeanor offenses, including attempted murder in the first degree, kidnapping for robbery, carjacking, robbery and found the personally armed with a firearm allegation to be true. The Honorable Judge David Vander Wall sentenced Gomez to 17 years plus three life sentences.

On January 1, 2016, the California Legislature enacted SB261, which expanded youth offender parole hearings to persons who were under the age of 23 when they committed their controlling offense. Gomez therefore became eligible for youth offender parole after serving 20 years or more of continuous incarceration.

In addition, on January 1, 2021, the California Legislature enacted AB 3234, modifying Penal Code section 3055 to lower the age of qualification for the statutory Elderly Parole Program to individuals 50 years or older, who have served 20 years or more of continuous incarceration. Gomez became eligible for parole due to this change in the law when he turned 50 years old in May of 2023.

A prison psychologist who interviewed Gomez prior to the parole hearing gave the opinion that he currently posed a moderate risk for future violence if he were to be released into the community. Gomez regularly violated prison rules up until March of 2024 and recently tested positive for marijuana. Gomez minimized or denied his behavior in his prison rule violations.

Prosecutor MacKinnon asked the Board to deny Gomez parole due to his need for rehabilitative programming in numerous areas including substance abuse, anger management, and victim awareness. MacKinnon argued that the callousness and violence of his crimes combined with his lack of any insight and continual rules violations made him an unreasonable risk to the community if released.

After deliberations, the Board denied parole for a period of five years. The Board was required to give considerable weight to Youth Offender and Elder Parole considerations, but found those factors were outweighed by the fact that Gomez had failed to participate in self-help rehabilitative programming, education or vocational training and continued to violate prison rules. The Board found Gomez was not credible and still could not conform his conduct to the prison rules.

This was Gomez's first parole hearing. He will be eligible for another parole hearing in 2029 although that date may be advanced if he can demonstrate to the Board a change in circumstances.

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