



COUNTY OF YOLO
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Yolo DA Uses New Law to Reduce Sentence of Prison Inmate

Gabriel Eugene's prison sentence was reduced by 5 years.

(Woodland, CA) – December 7, 2020 – On December 3, 2020, Yolo County Assistant Chief Deputy District Attorney Ryan Couzens was in court to ask visiting Judge Roy Hashimoto to take five years off the 14-year prison sentence of 26-year-old Gabriel Eugene. Eugene, who grew up in Davis, was convicted by a jury of Residential Burglary on March 30, 2016. At the time he committed the home-burglary, Eugene was on parole after recently being released from state prison on another case involving a burglary. His prison sentence included a 5-year enhancement for having been convicted of another strike-offense in the previous case.

On December 3, 2020, Judge Hashimoto reduced Eugene's sentence by five years as a result of a motion filed by the District Attorney's Conviction Integrity Unit (CIU), which is supervised by Assistant Chief Couzens. Additionally, Judge Hashimoto considered briefing filed by Eugene's attorney, Steve Sabbadini, also requesting a sentence reduction. The District Attorneys request was made possible by a new law, AB 2942, which was signed by the Governor in 2019. AB 2942 allows District Attorneys to recommend reducing the sentences of inmates serving time in prison "in the interests of justice." Prior to this new law, District Attorney's offices had no ability to request a sentence reduction.

The Yolo County District Attorney's CIU, the third of its kind in CA, was formed in 2014 to address cases where new evidence suggested innocence, but was later expanded to examine cases in which other factors justify an additional review. <https://yoloda.org/the-das-office/conviction-integrity-unit/>. The CIU examines cases looking at factors such as the seriousness of the crime, rehabilitation in prison, and the overall risk of reoffending if a person is released early. Victim input is also an important factor. The CIU also works with the Yolo County Public Defender's Office, which refers cases to the CIU for review. The Gabriel Eugene case marks the fifth occasion in just over the last year that the CIU has used this new law to reduce a sentence. On most of the prior occasions the equities also called for a reduction. However, in one instance, new evidence was discovered that cast doubt on the original conviction.

Based on the passage of AB 2942, the CIU began a partnership with “For the People,” a non-profit started by former San Francisco prosecutor, Hillary Blout, who drafted AB 2942 (www.fortheppl.org). Yolo County District Attorney Jeff Reisig formed this partnership with “For the People” and King Hall UC Davis Law School. Reisig asked King Hall Professor Jack Chin to start a sentencing clinic course at King Hall. In this clinic, students learn about basic sentencing law and review of the files of inmates who are in state prison as a result of a convictions from Yolo County. Students, under the direction of Professor Chin, assess eligible individuals and make recommendations to the District Attorney’s office as to which inmates should be considered for a reduced sentence. The District Attorney then files a motion with the court to start the process of reducing that inmate’s sentence.

Chin discussed the tremendous opportunity this project presented to his students. "In the course they have learned an enormous amount about the reality of crime on the streets, impact on victims, the sentencing process, and life in prison. We've seen how people can redeem themselves even after serious crimes, through work and rehabilitation. We are very grateful to the staff of the District Attorney's Office, who have spent hours talking through these issues with us."

Another recent case where AB 2942 was used involved 27-year-old Andrew Arodoz. In 2009, Arodoz, who was 16-years-old and lived in Woodland, pled no contest to attempted murder which occurred during a gang-related drive-by shooting. In October of that year, he was sentenced to 24-years-to-life in state prison. In April, 2020, “For the People” and Yolo DA identified Arodoz’ case as one eligible for reduction. In July, 2020, after thoroughly assessing Arodoz’ case, the DA filed a motion requesting a re-sentencing hearing. In that motion, Assistant Chief Deputy District Attorney Melinda Aiello stated that “since arriving in prison in 2011, Mr. Arodoz had embarked on transformative journey towards recovery.” She further stated that he had renounced his gang affiliation, had no rules violations since 2016, had obtained his GED and was taking college courses and was on track to obtain a college degree. She concluded, “we believe that Mr. Aradoz can be a productive member of society and that further incarceration serves no purpose and is no longer in the interests of justice.” On July 23, 2020 the Court granted the District Attorney’s motion and on July 29, 2020 Aradoz was released from Avenal State prison (www.fortheppl.org/stories).

Similar to the Aradoz case, after reviewing Gabriel Eugene case, the District Attorney concluded that the facts justified that his sentence be shortened. Eugene had made significant life changes in prison, including full-time employment, education and extensive counseling. Eugene’s attorney also submitted a full report from respected psychiatrist, Dr. Joan Gerbasi, who noted Eugene’s progress was “truly commendable” such that his chances of recidivism are “greatly reduced.”

“Prison sentences should stand the test of time,” explained District Attorney Reisig. “If a sentence doesn’t seem right years later, it is our obligation to the inmate, and the public, to take corrective action. Also, while keeping public safety in mind, we must be willing to review the prison files of those inmates who have made remarkable rehabilitative efforts, like Mr. Eugene and Mr. Aradoz.”

Assistant Chief Deputy Ryan Couzens praised Aradoz and Eugene stating, “Both young men deserved and earned sentence reductions. We are optimistic Mr. Aradoz’ rehabilitative efforts will pay dividends now that he is out, and that Mr. Eugene’s hard work and perseverance in prison will lead to his eventual release and his new journey to become a productive and thriving member of society.”

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