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PRESS RELEASE

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Paradise Gangster Sent to Prison on Two Separate Gun Cases.

A 19-year-old criminal street gang member was sentenced yesterday to 10 years, eight months in state prison on two separate incidents involving guns. Leonel Fernando Gutierrez, of Paradise, was convicted of charges that he assaulted a victim using a semiautomatic pistol outside the Optimo Lounge in Paradise last August 10, 2008. He was on bail and awaiting sentencing from a previous incident in which he acted as a look out while another gang member hid a gun at Hank Marsh Junior High School after a shooting on Forest Avenue in Chico on February 27, 2008.

Gutierrez was sentenced on charges of assault with a semiautomatic firearm and accessory to a felony. Gutierrez's cases were prosecuted by the Butte County District Attorney's Gang Unit. District Attorney Mike Ramsey said Gutierrez was sentenced to prison because of the seriousness of his offenses and his continued association with a criminal street gang.

Gutierrez had been released on bail and was awaiting sentencing in the first case when he committed the assault in Paradise. Gutierrez's criminal history showed he had been ordered by the Butte County Juvenile Court not to associate with gangs since December 2002. Nevertheless, both of these new crimes involved Gutierrez's previously admitted gang affiliation.

Gutierrez was drinking at the Optimo Lounge when he became involved in a confrontation with other bar patrons. Gutierrez made statements of his allegiance with a criminal street gang, and he bragged about being involved in the Forest Avenue shooting. After he failed to provide proof of legal drinking age, he was ejected from the bar. While outside, Gutierrez continued in the confrontation. When the victim interceded, Gutierrez pulled a gun from his pants and pointed it at the victim. While the victim was attempting to take cover, he was struck in the face by one of Gutierrez's companions, Alan James Smith, 19, resulting in injury to the victim. Gutierrez was stopped nearby in an older model truck by Paradise Police and had to be ordered to comply with directives at gun point. Smith was also convicted yesterday of battery and was sentenced to 45 days in county jail as part of a three year probation which included a restitution order to the victim of \$5,367.

Ramsey said, "Gang violence is a growing problem here in the county. However, if you commit gang violence in Butte County, you can expect to be prosecuted and incarcerated."

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