

Nathan J. Hochman
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October 5, 2023

The Honorable Gavin Newsom
Governor of the State of California
State Capitol Building, First Floor
Sacramento, California 95814

Re: Request to Deny Parole for Murderer Derek Eugene Pettis (CDCR No. K06969)

Dear Governor Newsom:

I write to you as a concerned resident of Los Angeles County regarding the Board of Parole Hearings disturbing decision on September 6, 2023, to find inmate Derek Eugene Pettis (CDCR No. K06969) suitable for parole. Given that Los Angeles County District Attorney George Gascon has a policy forbidding any member of his office from appearing at any parole hearing on behalf of the People and the victims – a policy that was followed at Pettis’ parole hearing – the parole panel was not presented with all the evidence and arguments regarding the impact of Pettis’ brutal crimes on his victims and their families and the aggravating factors militating in favor of a denial of parole. One such factor is that Pettis has been a danger, even while incarcerated. He was found to have a lethal, jail-made knife, commonly referred to as a “shank,” in his cell while incarcerated in Los Angeles County jail. I am strongly opposed to Pettis’ release from prison, which would create a miscarriage of justice and a genuine danger to the community. I respectfully request that you reverse the hearing panel’s recommendation and deny parole for Pettis.

Pettis was convicted by a jury of the 1994 murder of **Bruce Bryan**, a 39-year-old volunteer chaplain with the Los Angeles County Sheriff’s Department’s Carson Station, and the attempted murder of Los Angeles County Sheriff’s Deputy **Terrence Wenger**, who was 31 years old when Pettis shot him in the eye and left him for dead.

Mr. Bryan was known to many as “the chaplain of the ‘hood,” because of his work counseling youthful offenders, often while on ride-alongs with sheriff’s deputies in the Carson area. He ran the New Heart Mission in Carson, a nonprofit home for troubled young men, and often visited offenders at juvenile detention facilities. Deputy Wenger had worked on a sheriff’s gang detail before he received a patrol assignment at the Carson Station in 1993.

In the early morning of June 18, 1994, while riding with Mr. Bryan, Deputy Wenger detained Pettis after he was reportedly involved in a disturbance. In an act of compassion, Deputy Wenger chose not to take Pettis to jail and instead drove him to a motel in the Wilmington area of the City of Los Angeles where he was staying.

After Deputy Wenger opened the rear door of his patrol car and let Pettis go, Pettis savagely attacked Deputy Wenger, knocking him to the ground. A witness said the deputy’s head hit a curb and he became unconscious. Pettis then removed Deputy Wenger’s firearm and shot him in the face with the intention of killing him.

Pettis then turned and fired several shots at the patrol car, where Mr. Bryan was seated in the front passenger seat. Moments later, Mr. Bryan emerged from the car and began running away. Pettis ran after Mr. Bryan and aimed the gun at him as Mr. Bryan pleaded for his life, saying: “Please don’t shoot me! Please don’t shoot me!” according to the testimony of a witness. Instead of showing mercy, Pettis fired several more shots, killing the volunteer chaplain who was wearing a jacket with the word “CLERGY” printed on the back.

At the time of his death, Mr. Bryan was engaged to be married. But none of that mattered to Pettis; all he cared about was eliminating a witness to what he thought was the murder of a sheriff’s deputy.

Deputy Wenger survived but required multiple surgeries to reconstruct the right side of his face and remove his right eye, which was destroyed in the shooting. He heroically returned to work with the Sheriff’s Department. Now retired, Deputy Wenger rightfully is concerned that Pettis remains a danger to the community. As he said in a letter to the parole panel: “How can we know this evil will not again erupt following a sudden outburst of anger on his part?”

A Los Angeles County Superior Court jury convicted Pettis on March 21, 1996, of first-degree murder with the aggravating factor of personal use of a firearm for Mr. Bryan’s death; and attempted premeditated murder while using a firearm and causing great bodily injury for shooting Deputy Wenger in the face.

On April 8, 1996, Superior Court Judge Charles Sheldon sentenced Pettis to 30 years to life in prison for the first-degree murder of Mr. Bryan, and life in prison for the attempted premeditated murder of Deputy Wenger, plus an additional three years for causing great bodily injury to the victim. He ruled that the sentences should be served consecutively.

Of significance, Judge Sheldon noted that Pettis could have faced the death penalty – or life imprisonment without the possibility of parole – had Deputy Wenger died in the shooting, as many victims do when they are shot in the head. To grant parole would be rewarding Pettis for the good fortune that the man he shot in the head happened to survive.

As an additional significant factor, Pettis’ behavior while incarcerated shows that he remains a threat to the community. According to a transcript of his sentencing hearing, Pettis was found to have a jail-made knife, or “shank,” in his cell while awaiting trial. At the sentencing hearing, Los Angeles County Deputy Dist. Atty. Barbara Turner said: “I think the only reasonable interpretation of his purpose for having that shank in fact was to do additional harm to other deputies or custodians in the jail facility. Mr. Pettis continued to be a serious threat not only to the society that’s outside of the penal institutions, but the people that are within it, whether they are inmates, or personnel, employees or custodial supervisors.”

Further, Pettis has shown that formal supervision, such as parole, is unlikely to be a deterrent to his committing future violent crimes. He was on probation at the time that he murdered chaplain Bryan and attempted to murder Deputy Wenger, according to his sentencing hearing transcript.

There are certain crimes for which parole should not be granted. The cruel, depraved assassination of a volunteer chaplain and the attempted murder of a heroic sheriff's deputy are two of those crimes. As Deputy Wenger stated, Pettis is a danger to society who should not be released on parole. During my career as an Assistant United States Attorney and U.S. Assistant Attorney General, I encountered numerous violent offenders. The actions for which Pettis is serving two life prison sentences rank well within the most depraved acts of violence I have encountered.

What makes this situation even more concerning is that the only reason Pettis is eligible for parole at this time is because the youthful offender laws were changed and applied retroactively to violent offenders who were age 25 and younger when they offended. At the time of the murder of Mr. Bryan and the attempted murder of Deputy Wenger, Pettis was 24 years old and the threshold for youthful offender status was age 18 – making Pettis ineligible at the time for youthful offender status.

Today, Pettis is using this change of law to ask the State of California for mercy. Yet, Pettis showed no mercy when he cold-heartedly executed Mr. Bryan as he pleaded for his life and when he shot Deputy Wenger in the face and left him for dead. Justice was done when Pettis received his sentence. To free him before that sentence is fully served denies justice to Deputy Wenger and his family and the Bryan family. Such a grant of early parole sends a clear message to others thinking of committing violent and lethal acts in our state that a threat of a life sentence in California is an empty and toothless threat.

I strongly urge you to reverse the hearing panel's decision and deny parole for Pettis.

Sincerely,



Nathan J. Hochman
Los Angeles, California