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Parole Denied for Child Murderer Janetta Leiva
CDC #W57175; Court Case #SC060155A

Kern County District Attorney Cynthia Zimmer announced that the California Board of Parole Hearings (BPH) denied release to convicted child murderer Janetta Leiva. At Leiva's September 7, 2023, parole hearing, the commissioners issued a tie vote related to her release. As a result of the tie vote, the En Banc BPH Board made the final decision on Leiva's parole status on October 16, 2023. The En Banc Board of BPH found that Leiva continues to pose a current and unreasonable risk to public safety and denied her release. Representing the District Attorney's Office was Deputy District Attorney Gina Nargie.

Leiva lived in the Tehachapi area and had four minor children. On October 6, 1994, Leiva killed her three-month-old son by throwing his body up against the furniture and kitchen sink. The victim's 6-year-old sister witnessed many of the events surrounding her brother's murder. The night before the murder, Leiva used methamphetamine.

On the morning of the murder, Leiva and her 6-year-old daughter woke up to the victim crying. Leiva wrapped a curling iron cord around the baby's neck and walked out of the room. The victim's 6-year-old sister grabbed a chair, climbed into the victim's crib, and removed the cord from his neck. The victim continued to cry. Leiva returned to the bedroom and took the victim into another room. The victim's sister heard the baby screaming and three loud "bang" sounds. Leiva returned with the victim and placed him back into the crib. The victim's sister said that after Leiva placed the victim back into the crib, she spanked him hard one last time.

The 6-year-old went outside to play. When she came back, Leiva told her daughter that the victim was sick from drinking milk and directed her to rub his stomach. The victim's sister said that the victim was not moving, his eyes were half closed, and his tongue was stuck to his gums. Leiva wrapped the baby up in a blanket and walked out of the house. With the help of a neighbor, Leiva took the baby to Hall Ambulance located near the residence.

On March 21, 1995 in a case prosecuted by now District Attorney Cynthia Zimmer, a Kern County Jury found Leiva guilty of first-degree murder and found that Leiva was sane at the time she committed the murder of her three-month-old infant. A Kern County Judge sentenced Leiva to 25 years-to-life in state prison.

The focus of the original parole hearing on September 7, 2023, was on Leiva's substance abuse and mental health. The Kern County District Attorney's Office asked the Board of Parole to deny parole. The Board of Parole has the option of denying an inmate parole for a period of 15, 10, 7, 5 or 3 years. The Board of Parole issued a three-year denial. As such, Leiva's next parole hearing date could potentially be in 18 months.

District Attorney Cynthia Zimmer commented; "Seeing this case resurface serves as a reminder of the importance of fighting for justice relentlessly. I am pleased to say, justice has prevailed once again."