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PRESS RELEASE

For immediate release

Date: December 22, 2008

Re: Jesse Hernandez parole denial

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Modesto, California – Stanislaus County District Attorney Birgit Fladager announced today that Jesse Hernandez, age 46, formerly of San Francisco, was found unsuitable for parole at a December 16, 2008 hearing of the State Board of Prison Hearings at Avenal State Prison. Senior Deputy District Attorney Doug Maner appeared at the hearing in order to oppose this inmate's parole request. However, before the hearing could commence, the inmate waived his right to a parole hearing and requested a one year parole denial. The Board of Prison Hearings agreed and denied parole for one year.

Hernandez was to have been one of the first CDCR inmates to have his parole denial term lengthened by Proposition 9, "Marsy's Law," which formally took effect December 13, 2008, and lengthens the time between parole hearings to 15 years, 10 years, 7 years, 5 years or 3 years, depending upon a variety of factors. However, Hernandez had been convicted of a prison rules violation in October and realized that his chances of getting paroled at this hearing were minimal. He elected to waive his right to a parole hearing for one year rather than proceed with the hearing and face a lengthier denial term before he could request parole again.

The inmate was convicted of Attempted Murder and Kidnaping for Robbery of a taxi driver in 1987; he was sentenced to life in prison plus 6 years. Hernandez kidnapped the taxi driver, forced him to drive him to a rural area, then robbed and stabbed him with a large butcher knife. Hernandez has been incarcerated for this crime for 21 years. This was his 7th parole hearing.

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