



# Office of the District Attorney Stanislaus County

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## PRESS RELEASE

### For Immediate Release

Date: July 8, 2024  
Re: Josefa Benito Hernandez  
Convicted rapist denied parole

### For More Information Contact:

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Modesto, California - Stanislaus County District Attorney Jeff Laugero announced today that Josefa Benito Hernandez, age 47, of Modesto was found unsuitable for parole at a July 2, 2024, hearing of the State Board of Parole Hearings held at the California Institution for Men in Chino. Deputy District Attorney Amy Neumann appeared at the hearing on behalf of the People.

On August 4, 2002, Hernandez and a friend were approached at a bar by a 47-year-old female seeking help for car trouble. Hernandez ended up driving the victim to a dark, rural area in west Modesto where he forcibly pulled her from the car and began punching her in the face and body. When the victim struggled to get away, Hernandez ripped off her clothing and used a tire iron to hit the victim in the head and body, fracturing her wrist and arm.

Hernandez dragged the victim to a nearby field where he raped her and forced oral copulation. When Hernandez left the victim lying in the field and walked back to his vehicle, the victim ran back to the roadway to try to get help from an approaching car which did not stop. With intent to kill, Hernandez then ran back to the victim and struck her in the head with the tire iron once more. She played dead until he drove away.

When law enforcement arrived on the scene, the victim was naked and covered in blood. In addition to the fractured wrist and arm, she had three large lacerations on her head that took 100 staples to close.

On September 15, 2003, Hernandez was convicted of attempted murder and rape and sentenced to 13 years to life in prison.

At the hearing, Deputy District Attorney Neumann argued that Hernandez failed to engage in effective programming to deal with his sex offense crime and showed a lack of insight into his crimes. Hernandez told different stories about the facts of his crimes and could not explain to the Board why he committed such a violent crime. Deputy District Attorney Neumann also argued that a recent evaluation by a prison psychologist revealed that Hernandez continues to pose a moderate risk to the community if he were to be released.

The Board agreed and denied parole for three years. However, the Board also recognized what it called Hernandez's "tremendous progress" since being incarcerated. If Hernandez continues to make such progress, he has the potential to advance his next parole hearing to an earlier date.

This was Hernandez's fourth parole hearing. Hernandez had previously been denied parole in 2022.

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