



Sacramento County District Attorney's Office

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Non-Violent Second Striker Board of Parole Hearings
Correspondence-NVSS
Post Office Box 4036
Sacramento, CA 95812-4036

Re: Hernandez, Michael, CDC #F54253

Dear Sir/Madam:

I write in opposition to the early release of Michael Hernandez, who is currently pending consideration as a so-called Non-Violent Second Striker. Mr. Hernandez poses an unreasonable risk to public safety, and should be required to serve the full term authorized by law.

On December 30, 1983, when Mr. Hernandez was 18 years old, he violently assaulted a man walking home through a park in Stockton. He struck the victim about the head and body with a cane resulting in injuries to the victim which required a hospital stay of four days. Mr. Hernandez was convicted of assault with a deadly weapon for this brutal attack.

On November 28, 1989, Mr. Hernandez was convicted of vehicle theft. While on probation for this case, in October 1990, police stopped Mr. Hernandez who was driving a stolen car. In the car a loaded gun and a switchblade were found. He was also found in possession of a large amount of methamphetamine. Mr. Hernandez was subsequently convicted of vehicle theft and possession for sale of methamphetamine for which he was sentenced to three years state prison.

Shortly after being released from prison on the above case, on November 26, 1992, Mr. Hernandez was arrested for stealing another car. He was convicted and sentenced to three years in state prison.

In October 2002, Mr. Hernandez was convicted for passing counterfeit checks at four different businesses. He was placed on probation for four years.

While on probation, defendant was arrested and convicted for driving under the influence of a controlled substance on July 21, 2003.

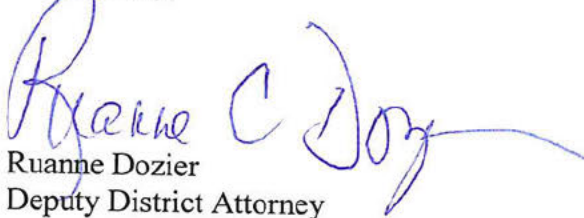
On September 22, 2005, defendant killed [REDACTED]. He met the victim for the first time that day. They agreed to go purchase methamphetamine together. While in an alley where the sale was to take place, they got into an argument about the purchase. Mr. Hernandez tried to get Ms. [REDACTED] to exit his car. When she reached into the car to retrieve her personal belongings, he started driving away. Ms. [REDACTED], at this point, was half way inside the car. As he continued to drive, she fell partly out of the car. Without regard for her safety, Mr. Hernandez continued to drive away dragging her body alongside his car onto the street. He drove erratically down the street for almost a block with her body half way under his car. Her body became dislodged from his car when he side swiped a parked car. He then sped off. When officers arrived, Ms. [REDACTED] was dead at the scene.

The prosecution entered a negotiated disposition with Mr. Hernandez. He pled guilty to his commitment offense, a violation of Penal Code section 191.5, subdivision (a), Vehicular Manslaughter with Gross Negligence. He also admitted to a violation of Vehicle Code section 20001(b)(2), Hit and Run with Injury. Mr. Hernandez was sentenced to state prison for 22 years.

As noted above, the commitment crime involved the purchase of methamphetamine. Mr. Hernandez has continued to use methamphetamine while incarcerated in state prison as exemplified by his positive drug test in August 2017 which resulted in a 115 rules violation.

Mr. Hernandez has repeatedly committed crimes [REDACTED]. His criminal behavior continued to escalate as he got older. His pattern of criminality stopped after he was sentenced to state prison for taking [REDACTED] life. There is no doubt that if he is released before he serves his full sentence, he will reoffend again.

Respectfully,


Ruanne Dozier
Deputy District Attorney