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PRESS RELEASE

For Immediate Release

Date: March 31, 2014
Re: Augustin Perez Hernandez

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Modesto, California - Stanislaus County District Attorney Birgit Fladager announced today that Augustin Perez Hernandez, age 54, of Sacramento was granted parole at a March 21, 2014 hearing of the State Board of Parole Hearings in Tracy. Deputy District Attorney Michael D. Houston appeared at the hearing and argued for continued confinement based on the fact Hernandez admitted he lied to the last Board of Parole Hearings and still constitutes an unreasonable risk of danger to the community. The Board of Parole Hearings disagreed and found Hernandez suitable for release on parole--after he is deported to Mexico.

On May 4, 1997, Hernandez was jealous that his wife, the victim, was seeing another man. He got drunk and drove to Modesto from Citrus Heights with a loaded gun to confront her. He entered the house and tried to force open the bedroom door, but the victim's boyfriend blocked the door. Hernandez went outside and broke a window to get inside the house. Once inside, he shot the victim 6 times – once in the right hand, once to the right forearm, once in the left wrist and left chest and twice in the face. After the first salvo, he told his wife, "I'm going to kill you." His wife survived the attack. Hernandez was convicted of attempted premeditated murder with the use of a firearm, causing great bodily injury and residential burglary and was sentenced to a term of life plus 7 years. Hernandez had previously been denied parole in 2010, when he was given a 7-year denial. Because of a change in the law, Hernandez was able to petition for an earlier hearing after he completed several self-help classes.

During the March 21, 2014 hearing, Hernandez admitted he lied to the 2010 Board of Parole Hearings when he blamed the commitment offense on being too drunk. The 2010 Board stated they "believed little, if nothing, of what" Hernandez had to say about the commitment offense. Based on his obvious unreasonable risk to the community, the 2010 Board denied parole for seven years. However, in the latest hearing, Hernandez had a complete about-face and admitted to the crimes for which he was convicted and tried to show remorse for his actions. Houston argued that since Hernandez had previously lied to the Board and was only recently admitting to the crimes he committed, he should not be released on parole. The Board of Parole Hearings disagreed, applauding Hernandez for finally admitting his crimes, showing remorse, having gone through

numerous self-help programs and having sufficient parole plans in Mexico where he will be deported upon release. The Board also put a great deal of weight into the victim supplying a letter the day before the hearing saying she forgave Hernandez. The prosecutor was not made aware of the letter until the date of the hearing. The District Attorney's Office was unable to make contact with the victim, despite numerous efforts.

Hernandez's case now goes before Governor Jerry Brown, to either approve or reverse the Board's decision.

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