

April 25, 2021

Dear Dix Porter and all concerned parties,

In 1993, as a youth offender at the age of 21, I was charged with special circumstances and ultimately convicted of first degree murder with second degree robbery. After two penalty phase mistrials, I was sentenced to a mandatory base term of life-without-possibility of parole (LWOP).

My name is Theodore, III, and I'm writing you with the hope of California's penal code for extreme sentencing, including LWOP, will end.

When I was going thru trial it was very difficult and stressful as I was fighting for my life. Scared and uneducated all I could do is shut down. Being sentenced to LWOP only reinforced my lack of self-worth.

LWOP, the other death penalty, left me feeling hopeless. My family for years were governed with sadness wondering what they could do to help me to someday "come home", only to realize we are all powerless to do anything. It will take a miracle of God for me to be given another chance I would tell them.

In 2018, we thought we were receiving our miracle when Governor Brown and the Board of Parole recommended me for commutation. However, because I have a prior felony, driving a vehicle w/out owners consent (joyriding), my case was sent to the California Supreme Court who on December 21, 2018, denied recommendation, thereby closing my case.

Contrary to all the negative influence and nay sayers that LWOP's are irredeemable, by the grace of God I grew up, matured, and chose to change my life. With no real hope given that I would be given another chance to be released, I came to believe that life is bigger than me - I have to do all I can to make amends to all my victims - direct and indirect. In the last few years I've seen

the laws changing and so a man like I can earn their parole.  
At the same time when LWOP's were spoken for, we have  
been excluded from being acknowledged as youth offenders  
all because of our sentence of LWOP.

I understand that when a crime is committed there  
must be consequences. But I don't believe I should just  
be thrown into prison to die slowly. I am redeemable.

Against any hope, my remorse led me to change my life.  
I also became a Christian and found that God gave me another  
chance and redeemed me. I don't know what tomorrow  
holds but today I'm still growing, maturing, and living  
a stable life being productive positively.

With the new changing laws, if you will have just a  
little faith in your fellow humans, I believe you will not be  
disappointed, but will find that I would be a good neighbor.  
This can only be done by you doing away with LWOP and all  
extreme sentencing. It's not going to give us an automatic  
release, but it will allow me to go to the Board of Parole to  
earn a chance at stability.

So please, as one honorable Ruth Bader Ginsburg once  
responded to our high court when asked if she wanted the court  
to change a century old law, she said, "No. I'm asking you to  
change a wrong law."

Today I'm asking you to end all LWOP and extreme sentencing  
because it too is a wrong law. Thank you.

Sincerely,

Joaquín

Joe Hernandez, III, (E94015)

In Re: Abolishing Life With-Out Parole (LWOP) (Death by Incarceration)

Dear United Nations (UN) Human Rights ("Special Rapporteurs),

Thank you for giving me this opportunity to be heard. I'm writing to provide you with an update since my letter one year ago.

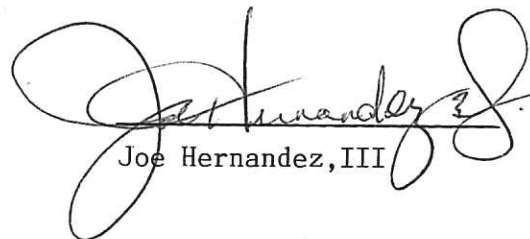
Over the last year I've had to endure a very difficult time as two close uncles and two cousins have passed. One passed due to a brain tumor and three as a result of Covid-19. On top of that, my mother also suffers severe health issues. She underwent a shoulder surgery that unfortunately left her with blood clots. The day after she fainted and was placed on life support. She lost her sight and still in recovery learning to talk and walk again.

Being sentenced to LWOP has again reminded us of being so powerless to change my circumstances. Seeing my mom in a video visit two weeks ago, crying so hard because as my only son, she needs me there next to her. I felt so helpless it tore at my soul causing me to cry there with her, telling her how sorry I am for not being there for her.

LWOP is not a sentence to just punish a person for horrendous crimes, but is a sentence to destroy the human soul with a message, "Your life is meaningless". Well, I refuse to believe that because God created me for a good purpose. I'm here every day striving to be a good husband and father while also helping my fellow inmates to rise above their hurts, traumas, addictions, and self-doubts. I've continued to participate in self-help programs (Victims Awareness, Criminal and Gang Anonymous, & 12-Steps), and I am currently training my third service dog for autistic children and wounded veterans, ("Maguire"). I am also the new facilitator for our POOCH, dog, program training others to train service dogs. My dog will be graduating at the end of this year, around the same time I will be graduating from college to receive my AA-degree in Sociology! Yes I am REDEEMABLE. There's so much love and goodness in me that I want to give away. After 29-years, remaining disciplinary free, my continued incarceration does not serve the interest of justice any longer.

I call upon you today to please lend us your voice to eliminate LWOP and all extreme sentences. There are so many other "Joe's" like me who are changed and ready to serve and be a part of a safer, stronger, healthier, and productive society beyond these walls. LWOP is truly inhumane. The human race is better than that. Thank you.

Date: March 31, 2022



Joe Hernandez, III