

# Congress of the United States

Washington, DC 20515

April 24, 2007

The Honorable George W. Bush  
President of the United States  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, D.C. 20500

Dear President Bush:

We are writing you in the hopes that you will take swift action in reviewing the federal prosecution brought against Edwards County, Texas Deputy Sheriff Guillermo 'Gilmer' Hernandez, who was sentenced to 1 year and 1 day in United States District Court for the Western District of Texas on March 19<sup>th</sup> in what we believe to be an unjust prosecution. Further, we are asking that you exercise your authority under Article II, Section 2 of the Constitution and consider an immediate pardon and/or a commutation of the sentence for Deputy Hernandez.

Deputy Hernandez was making what he thought to be a routine traffic stop on the evening of April 14, 2005 in Rocksprings, Texas when the vehicle that he pulled over for running a red light suddenly attempted to run into him as it sped away. Feeling that his life was being threatened, Deputy Hernandez made a split-second decision and fired shots at the vehicles tires to disable the vehicle. A bullet fragment regretfully struck one of the occupants who was being smuggled into the country illegally from Mexico. It is important to note that this was not an injury that was willfully inflicted and Deputy Hernandez has been fully cooperative and forthcoming with investigators.

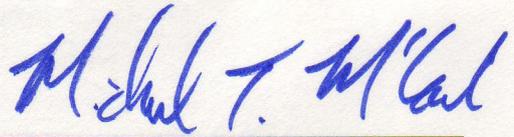
In an independent investigation of the incident conducted by the Texas Rangers at the request of the Edwards County, Texas Sheriff, it was determined that Deputy Hernandez acted lawfully and within the law when he fired his weapon. In our view, this is a case that federal prosecutors should have never been involved with in the first place as the investigation was abruptly taken over from the Texas Rangers and expanded upon. Deputy Hernandez simply utilized his training and followed the letter of the law and we do not believe he deserved prosecution.

We ask that you utilize your authority to investigate the actions taken in this case by the U.S. Attorneys office. Should the evidence show he committed no wrongdoing, we encourage your consideration for a pardon and/or commutation of the sentence for Deputy Hernandez so that he can avoid the unjust prison sentence facing him.

Sincerely,



TED POE  
Member of Congress



Michael McCaul  
Member of Congress

*John Culberson*

John Culberson  
Member of Congress

*Walter B. Jones*

Walter Jones  
Member of Congress

*Sam Johnson*

Sam Johnson  
Member of Congress

*Jeff Miller*

Jeff Miller  
Member of Congress

*Pete Sessions*

Pete Sessions  
Member of Congress

*Virgil Goode Jr.*

Virgil Goode  
Member of Congress

*Gary Miller*

Gary Miller  
Member of Congress

*Frank Wolf*

Frank Wolf  
Member of Congress

*Ginny Brown-Waite*

Ginny Brown-Waite  
Member of Congress

*Sue Myrick*

Sue Myrick  
Member of Congress

*Dan Burton*

Dan Burton  
Member of Congress

*Tom Feeney*

Tom Feeney  
Member of Congress

*K. Marchant*

Kenny Marchant  
Member of Congress