

At trial, witnesses described the police shooting as a "war zone." Xinachtli returned fire in self-defense but never shot nor injured anyone. Xinachtli dialed 911 (emergency) and alerted other officials that police were shooting at him and would not allow him to surrender. Eventually, the situation deescalated and Xinachtli was taken into custody.

Xinachtli was charged with two counts of aggravated assault - one count for disarming the sheriff and one count for a wound suffered by Sgt. Curtis Hines from a ricocheting police bullet. Xinachtli's elderly mother was charged with "hindering apprehension" and jailed.

Protests demanding Xinachtli's release were staged outside the courthouse in Odessa during the trial. Other protests were held in El Paso, Texas; San Diego, California; and Ciudad Juarez, Mexico. On June 2-9, 1997, Xinachtli was convicted of "threatening" the sheriff, but acquitted on the charge of shooting Sgt. Hines. He received a 50-year

sentence.

Since his imprisonment Xinachtli has continued to be harassed by prison authorities. They have gone so far as to accuse him of gang affiliations and transferring him to administrative segregation. Xinachtli has consistently denied gang affiliations and states he was targeted because of his political views, and connections he made with fellow Mexicano captives.

Because of outside pressure from Xinachtli's supporters, Xinachtli was finally transferred out of segregation. Despite the small victory, He is still continuously monitored and harassed. Despite the constant harassment, he has continued to be a strong voice and advocate for political prisoners and prisoners' rights.

If you wish to write Xinachtli, you can send letters to the following address:

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Xinachtli

Chicano Activist and Anarchist Wrongfully Serving a Life Sentence for Self Defense



Who is Xinachtli?

Xinachtli is a Chicano activist and political prisoner serving 50 years in prison for an alleged assault on an Alpine police officer. He has been longtime anti-police brutality and prison abolition activist, which has led to constant harassment by local and state police in west Texas.

Xinachtli was born under the name Alvaro Hernandez, Jr. He was raised around the town of Alpine, Texas. A high-school dropout with no formal education, Alvaro hasn't always been such a capable, and indeed, brilliant, litigator. It was during the late 1970s that he transformed himself from a rebellious, zoot suit-wearing "pachuco" hustler in his youth

into a prominent leader in the struggle for racial justice and human rights in the Southwest United States.

In 1975, Xinachtli and another man, Juan Hernandez, were arrested for the shooting death of a night clerk at the Alpine Ramada Inn. A jury found Xinachtli and his codefendant guilty, sentencing both to life in prison. Days after his conviction, he and three other men attempted to escape from the Pecos County jail. An intense shoot ensued before the men were captured on the Mexican side of the border. In 1979, Juan Hernandez was granted a new trial after an appeals court declared there was no corroborating evidence to support the claims made by a witness.

As for Xinachtli, he spent his time in prison, studying Mexican-American history, the prison system and revolutionary political theory. He began acting as a jailhouse lawyer, fighting against institutional corruption through constitutional and civil rights lawsuits. He and others organized hunger strikes, work stoppages and other actions to create reform. He eventually became one of the "seven other prisoners" whose civil suits were merged into what later became the landmark *Estelle v Ruiz* victory for prison reform against the Texas Department of Corrections.

While in Huntsville, he met Ricardo Adalpe Guerra, a Mexican national who had been convicted of killing a Houston area police officer. Guerra convinced of his innocence, which would have a lasting impression on him.

After serving 16-years in prison, Xinachtli was released. However, he soon had run-ins with police, which led to him being brutally beaten by Alpine police. He responded by success-

fully suing the Pecos Sheriff's department. These two incidents further politicized Xinachtli and gave birth to his long career and dedication as an anti-prison and anti-brutality activist.

Throughout the '90s, Xinachtli worked as the national coordinator for the Ricardo Adalpe Guerra Defense Committee, which led the struggle to free Mexican national Adalpe Guerra from Texas' death row after being framed by Houston police. The committee led a campaign that successfully stopped two scheduled executions of Adalpe Guerra and won his eventual release in 1997.

In March 1993, Xinachtli was a non-governmental organization (NGO) delegate before the 49th session of the United Nations Commission on Human Rights in Geneva, Switzerland. Before the U.N. General Assembly, he exposed the U.S. government's dismal human rights record and its human rights violations of U.S. political prisoners.

In addition, Xinachtli spear-

headed the National Movement of La Raza, Stop the Violence Youth Committee and the Prisoners Solidarity Committee in Houston. He spoke frequently at many colleges, universities and conferences around the country, addressing issues ranging from injustices in the criminal system against people of color, to self-determination, human rights and political prisoners.

On July 18, 1996, Sheriff Jack McDaniel of Alpine, Texas, went to arrest Xinachtli at his home on a charge of aggravated robbery (later dismissed with Xinachtli as his own counsel). No warrant for the arrest was issued. When the unarmed Xinachtli questioned the sheriff's action, the officer drew his weapon. Before he could shoot, Xinachtli disarmed him and fled.

Xinachtli was aware the police had been monitoring him since his arrival in Alpine and had often expressed fears he would be assassinated by the police.

At his trial, police said they felt Xinachtli was a "trouble-

maker" and Xinachtli knew his history as a barrio organizer made him a target of law enforcement who were used to little resistance from the Chicano/Mexicano community. The police in west Texas have a history of abuse, frame-ups and brutality against Mexicans. 90% of felony indictments are against Chicanos in a county whose population is 50% Mexican-American.

In fear for his life, Xinachtli eluded police. Days later, he returned to his mother's house. A heavily armed law enforcement contingent converged on the home. Without identifying themselves, police began shooting indiscriminately at the house, cars parked in front and at the public streetlights.

