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July 20, 2017

Board of Parole Hearings
Attn: Nonviolent Parole Review Process
P.O. Box 4036
Sacramento, CA 95812-4036

**Re: Inmate Paul Bottorff; CDC #AY6518
Ventura County Superior Court Case #2014024809
Opposition Letter Due to Board of Parole Hearings August 2, 2017**

Dear Board Members:

This letter is written to recommend denial of early parole for inmate Paul Bottorff. This recommendation is based upon:

- 1) The inmate's commitment offense.
- 2) The inmate's significant criminal history and failure to be crime free.
- 3) The unreasonable risk of violence to the community if released early.

CIRCUMSTANCES OF COMMITMENT OFFENSE

On August 2, 2014, an officer of the Ventura Police Department was working foot patrol, and noticed the inmate sitting in a vehicle with its engine turned off in an area where there had been numerous vehicle burglaries. The officer contacted the inmate, conducted a records check, and discovered the inmate was on probation for sales of controlled substances. According to the officer, the inmate appeared nervous and was reaching toward the leg pocket of his cargo pants.

The officer conducted a probation search of the inmate and located three bags containing approximately 14.07 grams of methamphetamine. The inmate was also in possession of 30 hydrocodone pills, and numerous small plastic bags. The inmate was arrested for violating Health & Safety Code section 11378, possession for sale.

CRIMINAL HISTORY

The inmate has an extensive criminal history of violence, narcotics abuse, and sales. The inmate's criminal career began at age nine.

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On June 29, 1973, the inmate was convicted of violating Penal Code section 459, burglary.

On August 20, 1974, the inmate was convicted of petty theft at the age of ten.

On November 29, 1974, the inmate was convicted of violating Penal Code section 594, vandalism. In this case, the inmate entered a restroom at an elementary school, set fire to papers and defecated on the floor. The inmate then kicked out the windows in a nearby classroom.

On April 25, 1975, the inmate was convicted of theft. In this case, the inmate was found inside a parked vehicle, rifling through the glove compartment at the age of 11.

On August 22, 1975, the inmate was convicted of violating Penal Code section 664/459 first-degree residential burglary. In this case, the inmate attempted to enter a residence by prying open a rear window.

On May 10, 1976, the inmate was convicted of vandalism. The inmate was made a ward of the state and placed on probation. In this case, the inmate broke a window with a slingshot, stole a bicycle, and shoplifted from a grocery store.

On October 17, 1977, the inmate was convicted of burglary and theft, and sentenced to 90 days CYC at age 13. In this case, the inmate entered a residence through a window and stole \$8 from the victim. The inmate also burglarized a residence and took approximately \$103 worth of cash and property. Additionally, he entered an unlocked vehicle and took \$2 in cash. The inmate's wardship was terminated on April 14, 1978.

On May 3, 1979, in the state of Missouri, the inmate was convicted of carrying a concealed weapon.

On May 30, 1979, the inmate was convicted of discharging a weapon.

On October 25, 1979, the inmate was convicted of second-degree burglary. In this case, at the age of 15, the inmate burglarized two vehicles and was returned to a wardship at Kalos Boys Ranch.

On December 26, 1979, the inmate admitted violating Penal Code section 459, first-degree residential burglary. In this case, the inmate and a companion entered a residence and removed jewelry, prescription drugs, and liquor.

On May 7, 1980, the inmate admitted a battery, at age 16. In this case, the inmate approached a high school student and kicked him in the groin. The victim suffered swelling and discharged blood in his urine for several days.

On January 27, 1981, the inmate admitted a burglary in the second-degree and was committed to the CYA. In this case, the inmate burglarized a vehicle parked at a local restaurant. The inmate was under the influence of alcohol at the time of his arrest. The inmate was discharged from the CYA on October 14, 1983.

On May 1, 1984, as an adult, the inmate was convicted of violating Penal Code section 484g(b), fraudulent use of access card, and Penal Code section 484f(2) forgery of an access card. He was sentenced to 180 days in jail and 36 months probation. In this case, the inmate purchased \$498 in property using a stolen credit card. The inmate received four violations of probation on this case.

On November 3, 1984, the inmate was convicted of DUI and sentenced to 36 months of probation. The inmate received one violation of probation on this case.

On March 13, 1985, the inmate was convicted of possession of dangerous weapons and sentenced to 36 months probation. The inmate received three violations of probation.

On May 8, 1985, the inmate was convicted of receiving stolen property. Probation was denied and the inmate was sentenced to 365 days in jail.

On April 16, 1986, the inmate was convicted of violating Health & Safety Code section 11377(a), possession of a controlled substance, and sentenced to 60 days in jail and 36 months probation. In this case, the inmate was arrested for being under the influence of LSD. Additionally, the officers found 15 perforated tabs of LSD in his wallet.

On December 3, 1986, the inmate pled guilty to burglary in the second-degree and auto theft in St. Louis, Missouri. The inmate was sentenced to serve one year in state prison.

On June 22, 1988, the inmate was convicted of tampering with a service utility and sentenced to serve two years six months confinement in St. Louis.

On March 27, 1990, the inmate was arrested and convicted DUI in St. Louis. The inmate was sentenced to 30 days in jail and two years of probation.

On October 16, 1990, upon returning to Ventura County, the inmate was convicted of violating Penal Code 4532(a), prisoner arrested, charged or convicted of a misdemeanor. The inmate was sentenced to 60 days in jail and 36 months of probation.

On September 17, 1991, the inmate pled guilty to receiving stolen property and attempted burglary. He was sentenced to two years in prison. In the first case, the inmate stole \$1,279 worth of copper wire and tools from a local business. In the second case, the inmate was found by the police in a fenced area of the victim's residence. The victim called the police after he saw the inmate shake the doors and windows of his residence in an attempt to gain entry. When arrested, the inmate was in possession of copper wire and a gas can taken from electric contractor. The inmate was paroled in this matter and received three violations of parole.

On May 13, 1994, the inmate pled guilty to possession of controlled substances in two cases. The inmate admitted one prison prior and was sentenced to 60 months of formal probation. In the first case, the inmate was stopped for a vehicle code violation and was determined to be under the influence of alcohol with a BAC of .36 percent. Additionally, the inmate was in possession of six grams of marijuana, a smoking pipe, \$1,500 in cash, a ledger book, and a plastic vial with .1 gram of methamphetamine. In the second case, the inmate was found sitting in his car while under the influence of a controlled substance. The officers found two bags containing marijuana, syringes, and 1.64 grams of methamphetamine. When the officers attempted to arrest the inmate, he fled on foot. On October 5, 1995, the inmate's probation was revoked after he failed to appear and received four violations of probation. The inmate was sentenced to two years in prison.

On May 10, 1995, the inmate again pled guilty to unlawful possession of drugs and admitted one prior prison prior and a strike. The inmate was sentenced to four years eight months in prison.

On August 28, 2000, the inmate pled guilty to violating Health & Safety Code 11377(a), and admitted one strike prior and two prior prison priors. The inmate was sentenced to three years eight months in prison. In this case, the inmate was arrested on an outstanding warrant. A search of his person revealed a marijuana smoking pipe and a bag containing metal screens. Additionally, a search of his vehicle yielded 2.68 grams of methamphetamine, a cellular phone, 20-30 unused plastic bags, and a scale. The inmate received six violations of parole on this case.

On October 12, 2006, the inmate pled guilty to possession of drugs for sale. The inmate was sentenced to five years in prison based on his priors. The inmate received one violation of parole in this case.

On August 13, 2009, the inmate again pled guilty to violating Health & Safety Code section 11378, possession for sale, and Health & Safety Code section 11379(a), transportation. He admitted his strike priors, prison priors, and prior sales convictions per Health & Safety Code section 11370.12(c). The inmate was sentenced to nine years in state prison. In this case, the inmate was stopped due to a vehicle code violation and found to be on parole. A search of his person yielded approximately 28 grams of marijuana and a film container with four bags containing 2.51 grams of methamphetamine and numerous empty bags. The inmate was also carrying \$400 in cash.

On June 12, 2015, the inmate pled guilty to violating Health & Safety Code section 11377(a). A strike was stricken, and the inmate admitted five prior prison priors. The inmate was sentenced to 36 months formal probation, but eventually sent to prison on the commitment offense. In this case, the inmate was found on probation for drug related convictions while in possession of .8 grams of methamphetamine. The inmate received two failures to appear and four violations of probation on this case.

DISCUSSION

Over the course of a criminal career spanning four decades, the inmate has caused significant harm to members of his community. He has been arrested for numerous crimes including residential burglaries, battery, theft, and drug sales. Additionally, the inmate has been repeatedly reprimanded for possessing contraband while in custody.

The inmate is a lifelong substance abuser and has accumulated at least seven convictions for offenses related to narcotics and alcohol abuse. The inmate's criminal record illustrates the life of someone unwilling to change or challenge his drug addictions. Conversely, the inmate demonstrates that he is willing to repeatedly break the law and victimize others in order to feed his addictions. The inmate was on parole when the instant offense occurred. If the inmate wanted to prove that he was sincere about abandoning his life of crime, he squandered that opportunity.


The inmate has engaged in repeated instances of inherently violent thefts, possession of dangerous weapons, and narcotics sales. The inmate's past performance on probation has been unsatisfactory and includes at least four failures to appear and 26 violations of probation. The inmate has demonstrated repeatedly that he will continue to disobey all laws. The inmate exhibits chronic criminality and completely disregards directives from probation. Early parole should be denied as he poses a danger to the community.

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CONCLUSION

The inmate poses an unreasonable risk of violence to the community if granted early parole. I respectfully request the Board deny early parole for the inmate.

Very truly yours,



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District Attorney

GDT:jl

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