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July 31, 2017

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

**Re: Inmate Kenneth A. Powell; CDCR AM1109
Ventura County Superior Court Case 2008041295
Opposition to 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 Kenneth A. Powell. This recommendation is based upon the inmate's commitment offense and its extremely negative impact on his victims.

CIRCUMSTANCES OF THE COMMITMENT OFFENSE

In 2005, the inmate, along with convicted co-defendant Katie Rose, hosted a weekly real estate investment radio show soliciting investors (who soon became their victims) to attend their Real Estate Academy. Those who attended this supposed-Academy were promised lucrative returns on trust deed investments on real estate (predominantly) located in Kern County. The inmate fraudulently represented to victims that their investments would be secured by recorded trust deeds. In reality, none of the trust deeds were actually recorded on the chain of title to the property. The inmate focused his fraudulent efforts on naïve individuals unfamiliar with secured real estate transactions, and vulnerable elderly people. From approximately 2005 through 2008, the inmate stole over \$3 million from 15 victims. Many of the inmate's victims lost most of their entire life savings due to the crimes for which the inmate was ultimately sentenced to serve 18 years in prison.

DISCUSSION

The inmate paid no restitution when he was sentenced. The sentencing judge, recognizing the severity of the inmate's crime spree while also recognizing he paid no restitution, imposed multiple sentencing enhancements. These sentencing enhancements included the

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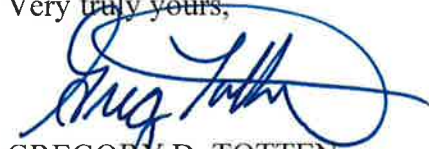
aggravated white-collar crime enhancement of 24 months per Penal Code section 186.11, as well as excessive taking enhancements per Penal Code section 12022.6(a)(2). In short, the punishment attached to solely the primary offense (Count 10) is inadequate considering the sentencing court's clear intent the inmate serve time in prison for the enhancements and subordinate counts as well. Furthermore, numerous victims provided moving victim impact statements at the inmate's sentencing hearing where they detailed how he destroyed their financial lives, or worse, caused health problems due to the stress his thefts caused them and their families.

Early release provides no incentive for the inmate to forgo future schemes targeting the elderly and naïve. In his sentencing statement, he claimed to be guilty only of stupidity and only admitted theft from four of the victims, and the remaining counts he perceived as just bad business. The inmate lacks insight into the criminal nature of his actions as well as a true appreciation for the financial destruction he caused his victims.

CONCLUSION

The inmate is a financial predator who stole millions of dollars from 15 families. Considering the inmate's crimes against multiple victims, I respectfully request the Board deny early parole for this inmate.

Very truly yours,



GREGORY D. TOTTEN
District Attorney

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