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August 9, 2018

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 9, 2018**

Dear Board Members:

This letter is written to recommend denial of early parole for inmate Paul Bottorff. In December 2015, the inmate was sentenced to ten years in prison. Releasing the inmate now means he would serve approximately 40 percent of his actual sentence. 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 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 pleaded guilty to possession of methamphetamine for sales and three prior sales convictions. He also admitted a strike prior and five prison priors. He was sentenced to ten years in prison.

CRIMINAL HISTORY

The inmate has an extensive criminal history of violence, narcotics abuse, and narcotics sales. The inmate's criminal career began at the age of nine. He committed numerous juvenile offenses including burglary, thefts, vandalism, and battery, with commitments to the Colston Youth Center and Kalos Boys Ranch. His juvenile violations culminated in a commitment to the California Youth Authority for vehicle burglary.

On May 1, 1984, as an adult, the inmate was convicted of fraudulent use of an access card and forgery of an access card. He was sentenced to 180 days 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 possession of a controlled substance and sentenced to 60 days 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 second-degree burglary and auto theft in St. Louis, Missouri. The inmate was sentenced to serve one year in state prison.

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On June 22, 1988, the inmate was convicted of tampering with a service utility and was sentenced to serve 2 years 6 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 jail and 2 years probation.

On October 16, 1990, upon returning to Ventura County, the inmate was convicted of violating Penal Code 4532(a), escape of prisoner from a farm or road camp. The inmate was sentenced to 60 days 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 an 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 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. Officers located 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 4 years 8 months in prison.

On August 28, 2000, the inmate pled guilty to possession of methamphetamine and admitted one strike prior and two prior prison priors. The inmate was sentenced to 3 years 8 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 possession for sale, and transportation. He admitted his strike priors, prison priors, and prior sales convictions. 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 possession of methamphetamine. A strike was stricken, and the inmate admitted five prison priors. The inmate was sentenced to 36 months formal probation but was 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'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

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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.

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,

A handwritten signature in blue ink, appearing to read "Michael D. Schwartz".

MICHAEL D. SCHWARTZ
Chief Assistant District Attorney

MDS:kd

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