

THE SUPERIOR COURT, STATE OF CALIFORNIA
For the County of Santa Barbara
Figueroa Division

THE PEOPLE OF THE STATE OF CALIFORNIA

Plaintiff,

vs.

DAVID GUILLOD
AKA: DAVID MICHAEL GUILLOD
AKA: DAVID M GUILLOD

DOB: 01/08/1967
01/18/1967

Defendant.

20CR80026
DA No. 19-05-442685
Court No.

FELONY COMPLAINT

AB109 INELIGIBLE

FILED
SUPERIOR COURT of CALIFORNIA
COUNTY OF SANTA BARBARA

JUN 13 2020

Darrel E. Parker, Executive Officer
BY *Christina M. Cruz*
Christina M. Cruz, Deputy Clerk

The undersigned is informed and believes that:

COUNT 1

On or about December 14, 2014, in the County of Santa Barbara, the crime of KIDNAP FOR RAPE, ORAL COPULATION OR SODOMY, in violation of **PENAL CODE SECTION 209(b)(1)**, a Felony, was committed by DAVID GUILLOD, who did unlawfully kidnap or carry away JANE DOE 1 DOB 09/21/1991 to commit RAPE.

It is further alleged that the above offense is a violent felony within the meanings of **Penal Code Section 667.5(c)(14)**."

It is further alleged that the above offense is a serious felony within the meaning of **Penal Code Section 1192.7(c)(20)**."

"NOTICE: Conviction of this offense will require you to register pursuant to **Penal Code Section 290**. Willful failure to register is a crime."

"NOTICE: Pursuant to the provisions of **Penal Code Section 293.5** the use of pseudonym "Jane or John Doe", if it appears in the complaint or information, is for purposes of protecting the privacy of the alleged victim."

"NOTICE: To defendant and defendant's attorney of record; be advised that pursuant to **California Evidence Code Section 1108**, the People intend to introduce evidence of any prior act(s) of sexual offenses committed by the defendant."

COUNT 2

On or about December 14, 2014, in the County of Santa Barbara, the crime of RAPE OF A PERSON PREVENTED FROM RESISTING DUE TO AN INTOXICATING, ANESTHETIC OR CONTROLLED SUBSTANCE, in violation of **PENAL CODE SECTION 261(a)(3)**, a Felony, was committed by DAVID GUILLOD, who did unlawfully have or accomplish an act of sexual intercourse with a person, to wit: JANE DOE 1 DOB 09/21/1991, not his spouse, where said person was prevented from resisting by an intoxicating, anesthetic or controlled substance, or this condition was known, or reasonably should have been known by the defendant.

It is further alleged that the above offense is a serious felony within the meaning of **Penal Code Section 1192.7(c) (3)**.

It is further alleged that probation shall not be granted to, nor shall the execution or imposition of sentence suspended pursuant to **Penal Code Section 1203.065(a)**.

"NOTICE: Pursuant to the provisions of **Penal Code Section 293.5** the use of pseudonym "Jane or John Doe", if it appears in the complaint or information, is for purposes of protecting the privacy of the alleged victim."

"NOTICE: Conviction of this offense will require you to register pursuant to **Penal Code Section 290**. Willful failure to register is a crime."

"NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). **Penal Code Section 1202.1**."

"NOTICE: To defendant and defendant's attorney of record; be advised that pursuant to **California Evidence Code Section 1108**, the People intend to introduce evidence of any prior act(s) of sexual offenses committed by the defendant."

COUNT 3

On or about December 14, 2014, in the County of Santa Barbara, the crime of RAPE OF AN UNCONSCIOUS PERSON, in violation of **PENAL CODE SECTION 261(a)(4)(c)**, a Felony, was committed by DAVID GUILLOD, who did unlawfully have and accomplish an act of sexual intercourse with a person, to wit: JANE DOE 1 DOB 09/21/1991, not his spouse, where said person was at the time unconscious of the nature of the act, said unconsciousness being known to said defendant.

It is further alleged that the above offense is a serious felony within the meaning of **Penal Code Section 1192.7(c) (3)**.

It is further alleged that probation shall not be granted to, nor shall the execution or imposition of sentence suspended pursuant to **Penal Code Section 1203.065(a)**.

"NOTICE: Conviction of this offense will require you to register pursuant to **Penal Code Section 290**. Willful failure to register is a crime."

“NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). **Penal Code Section 1202.1.**”

"NOTICE: Pursuant to the provisions of **Penal Code Section 293.5** the use of pseudonym "Jane or John Doe", if it appears in the complaint or information, is for purposes of protecting the privacy of the alleged victim."

“NOTICE: To defendant and defendant’s attorney of record; be advised that pursuant to **California Evidence Code Section 1108**, the People intend to introduce evidence of any prior act(s) of sexual offenses committed by the defendant.”

COUNT 4

On or about May 21, 2012, in the County of Los Angeles, the crime of SEXUAL PENETRATION OF AN INTOXICATED PERSON BY A FOREIGN OBJECT, in violation of **PENAL CODE SECTION 289(e)**, a Felony, was committed by DAVID GUILLOD, who did unlawfully commit an act of sexual penetration with JANE DOE 2 DOB 07/12/1978 who was prevented from resisting by any intoxicating or anesthetic or controlled substance, and this condition was known, or reasonably should have been known by the defendant.

“NOTICE: Conviction of this offense will require you to register pursuant to **Penal Code Section 290**. Willful failure to register is a crime.”

“NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). **Penal Code Section 1202.1.**”

It is further alleged that probation shall not be granted to, nor shall the execution or imposition of sentence suspended pursuant to **Penal Code Section 1203.065(a)**.

"NOTICE: Pursuant to the provisions of **Penal Code Section 293.5** the use of pseudonym "Jane or John Doe", if it appears in the complaint or information, is for purposes of protecting the privacy of the alleged victim."

“NOTICE: To defendant and defendant’s attorney of record; be advised that pursuant to **California Evidence Code Section 1108**, the People intend to introduce evidence of any prior act(s) of sexual offenses committed by the defendant.”

COUNT 5

On or about May 21, 2012, in the County of Los Angeles, the crime of SEXUAL PENETRATION OF AN UNCONSCIOUS PERSON BY A FOREIGN OBJECT, in violation of **PENAL CODE SECTION 289(d)**, a Felony, was committed by DAVID GUILLOD, who did unlawfully cause the penetration of the genital or anal openings of JANE DOE 2 DOB 07/12/1978 or cause another person to penetrate the defendant's or another person's genital or anal openings for the purpose of sexual arousal, gratification, or abuse, by a foreign object, substance, instrument, or device or by an unknown object, the victim being unconscious of the nature of the act, this being known by the defendant.

"NOTICE: The above offense is a serious felony within the meaning of **Penal Code section 1192.7(c)**."

It is further alleged that probation shall not be granted to, nor shall the execution or imposition of sentence suspended pursuant to **Penal Code Section 1203.065(a)**.

"NOTICE: Conviction of this offense will require you to register pursuant to **Penal Code Section 290**. Willful failure to register is a crime."

"NOTICE: Pursuant to the provisions of **PC Section 293.5** the use of pseudonym "Jane or John Doe", if it appears in the complaint or information, is for purposes of protecting the privacy of the alleged victim."

"NOTICE: To defendant and defendant's attorney of record; be advised that pursuant to **California Evidence Code Section 1108**, the People intend to introduce evidence of any prior act(s) of sexual offenses committed by the defendant."

COUNT 6

On or about May 21, 2012, in the County of Los Angeles, the crime of ORAL COPULATION WITH A PERSON PREVENTED FROM RESISTING DUE TO AN INTOXICATING, ANESTHETIC OR CONTROLLED SUBSTANCE, in violation of **PENAL CODE SECTION 288a(i)**, a Felony, was committed by DAVID GUILLOD, who did unlawfully commit an act of oral copulation with JANE DOE 2 DOB 07/12/1978 who was prevented from resisting by an intoxicating, anesthetic and controlled substance and this condition was known, and reasonably should have been known by the defendant.

"NOTICE: Pursuant to the provisions of **PC Section 293.5** the use of pseudonym "Jane or John Doe", if it appears in the complaint or information, is for purposes of protecting the privacy of the alleged victim."

"NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probably causative agent of Acquired Immune Deficiency Syndrome (AIDS). Penal Code section 1202.1."

"NOTICE: Conviction of this offense will require you to register pursuant to Penal Code section 290 et seq. Willful failure to register is a crime.

"NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of the jail or prison facility where you are incarcerated pursuant to Penal Code Section 1524.1 and Health and Safety Code section 121055 following a probable cause hearing resulting in a court order."

COUNT 7

On or about May 21, 2012, in the County of Los Angeles, the crime of ORAL COPULATION WITH AN UNCONSCIOUS PERSON, in violation of **PENAL CODE SECTION 288a(f)**, a Felony, was committed by DAVID GUILLOD, who did unlawfully commit an act of oral copulation with JANE DOE 2 DOB 07/12/1997, who was unconscious of the nature of the act and this was known to the defendant.

It is further alleged that probation shall not be granted to, nor shall the execution or imposition of sentence suspended pursuant to **Penal Code Section 1203.065(a)**.

"NOTICE: Pursuant to the provisions of **PC Section 293.5** the use of pseudonym "Jane or John Doe", if it appears in the complaint or information, is for purposes of protecting the privacy of the alleged victim."

"NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probably causative agent of Acquired Immune Deficiency Syndrome (AIDS). Penal Code section 1202.1."

"NOTICE: Conviction of this offense will require you to register pursuant to Penal Code section 290 et seq. Willful failure to register is a crime.

COUNT 8

On or between January 30, 2015 and January 31, 2015, in the County of Los Angeles, the crime RAPE OF A PERSON PREVENTED FROM RESISTING DUE TO AN INTOXICATING, ANESTHETIC OR CONTROLLED SUBSTANCE, in violation of **PENAL CODE SECTION 261(a)(3)**, a Felony, was committed by DAVID GUILLOD, who did unlawfully have or accomplish an act of sexual intercourse with a person, to wit: JANE DOE 3 DOB 10/28/1988, not his spouse, where said person was prevented from resisting by an intoxicating, anesthetic, or controlled substance, and this condition was known, or reasonably should have been known by the defendant.

It is further alleged that the above offense is a serious felony within the meaning of **Penal Code Section 1192.7(c) (3)**.

It is further alleged that probation shall not be granted to, nor shall the execution or imposition of sentence suspended pursuant to **Penal Code Section 1203.065(a)**.

"NOTICE: Pursuant to the provisions of **Penal Code Section 293.5** the use of pseudonym "Jane or John Doe", if it appears in the complaint or information, is for purposes of protecting the privacy of the alleged victim."

"NOTICE: Conviction of this offense will require you to register pursuant to **Penal Code Section 290**. Willful failure to register is a crime."

"NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). **Penal Code Section 1202.1**."

"NOTICE: To defendant and defendant's attorney of record; be advised that pursuant to **California Evidence Code Section 1108**, the People intend to introduce evidence of any prior act(s) of sexual offenses committed by the defendant."

COUNT 9

On or between January 30, 2015 and January 31, 2015, in the County of Los Angeles, the crime of RAPE OF AN UNCONSCIOUS PERSON, in violation of **PENAL CODE SECTION 261(a)(4)(c)**, a Felony, was committed by DAVID GUILLOD, who did unlawfully have and accomplish an act of sexual intercourse with a person, to wit: JANE DOE 3 DOB 10/28/1988, not his spouse, where said person was at the time unconscious of the nature of the act, said unconsciousness being known to said defendant.

It is further alleged that the above offense is a serious felony within the meaning of **Penal Code Section 1192.7(c) (3)**.

It is further alleged that probation shall not be granted to, nor shall the execution or imposition of sentence suspended pursuant to **Penal Code Section 1203.065(a)**.

“NOTICE: Conviction of this offense will require you to register pursuant to **Penal Code Section 290**. Willful failure to register is a crime.”

“NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). **Penal Code Section 1202.1**.”

“NOTICE: Pursuant to the provisions of **Penal Code Section 293.5** the use of pseudonym "Jane or John Doe", if it appears in the complaint or information, is for purposes of protecting the privacy of the alleged victim.”

“NOTICE: To defendant and defendant’s attorney of record; be advised that pursuant to **California Evidence Code Section 1108**, the People intend to introduce evidence of any prior act(s) of sexual offenses committed by the defendant.”

COUNT 10

On or between January 30, 2015 and January 31, 2015, in the County of Los Angeles, the crime of RAPE OF A PERSON WHO IS PREVENTED FROM RESISTING DUE TO AN INTOXICATING, ANESTHETIC OR CONTROLLED SUBSTANCE, in violation of **PENAL CODE SECTION 261(a)(3)**, a Felony, was committed by DAVID GUILLOD, who did unlawfully have or accomplish an act of sexual intercourse with a person, to wit: JANE DOE 4 DOB 09/19/1992, not his spouse, where said person was prevented from resisting by an intoxicating, anesthetic or controlled substance, or this condition was known, or reasonably should have been known by the defendant.

It is further alleged that the above offense is a serious felony within the meaning of **Penal Code Section 1192.7(c) (3)**.

It is further alleged that probation shall not be granted to, nor shall the execution or imposition of sentence suspended pursuant to **Penal Code Section 1203.065(a)**.

“NOTICE: Pursuant to the provisions of **Penal Code Section 293.5** the use of pseudonym "Jane or John Doe", if it appears in the complaint or information, is for purposes of protecting the privacy of the alleged victim.”

“NOTICE: Conviction of this offense will require you to register pursuant to **Penal Code Section 290**. Willful failure to register is a crime.”

“NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). **Penal Code Section 1202.1**.”

“NOTICE: To defendant and defendant’s attorney of record; be advised that pursuant to **California Evidence Code Section 1108**, the People intend to introduce evidence of any prior act(s) of sexual offenses committed by the defendant.”

COUNT 11

On or between January 30, 2015 and January 31, 2015, in the County of Los Angeles, the crime of RAPE OF AN UNCONSCIOUS PERSON, in violation of **PENAL CODE SECTION 261(a)(4)(c)**, a Felony, was committed by DAVID GUILLOD, who did unlawfully have and accomplish an act of sexual intercourse with a person, to wit: JANE DOE 4 DOB 09/19/1992, not his spouse, where said person was at the time unconscious of the nature of the act, said unconsciousness being known to said defendant.

It is further alleged that the above offense is a serious felony within the meaning of **Penal Code Section 1192.7(c) (3)**.

It is further alleged that probation shall not be granted to, nor shall the execution or imposition of sentence suspended pursuant to **Penal Code Section 1203.065(a)**.

“NOTICE: Conviction of this offense will require you to register pursuant to **Penal Code Section 290**. Willful failure to register is a crime.”

“NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). **Penal Code Section 1202.1**.”

"NOTICE: Pursuant to the provisions of **Penal Code Section 293.5** the use of pseudonym "Jane or John Doe", if it appears in the complaint or information, is for purposes of protecting the privacy of the alleged victim."

“NOTICE: To defendant and defendant’s attorney of record; be advised that pursuant to **California Evidence Code Section 1108**, the People intend to introduce evidence of any prior act(s) of sexual offenses committed by the defendant.”

PENAL CODE SECTION 784.7(A) NOTICE

“Notice, as to Count (s) 4 - 11 pursuant to **Penal Code Section 784.7(a)**, it is agreed by Jackie Lacey, the District Attorney of Los Angeles County that offenses alleged to have committed by the defendant in Los Angeles County should be prosecuted by the Santa Barbara County District Attorney’s Office.”

SPEC ALLEG – SERIOUS/VIOLENT/REGISTERABLE SEX OFFENSE FELONY

As to Counts 1-11 it is further alleged that the above offenses are serious felonies within the meaning of Penal Code section 1192.7(c) and/or a violent felony described in subdivision(s) of Penal Code section 667.5 and/or an offense requiring registration under the provisions Penal Code sections 290 et seq, pursuant to Penal Code section 1170(h), that the defendant is ineligible for a state prison sentence to be served in the county jail.

“NOTICE: Pursuant to Penal Code section 1170(f), notwithstanding any other provisions of this section, for purposes of subdivision (h) of section 1170, any allegation that a defendant is ineligible for a state prison sentence to be served in the county jail due to a prior or current conviction, or sentence enhancement, or because he or she is required to register as a sex offender, or because the legislature specifically excluded the offense, shall not be subject to dismissal pursuant to §1385 PC.”

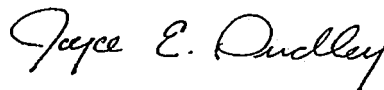
As to Counts 1-11 it is further alleged that probation shall not be granted to, nor shall the execution or imposition of sentence suspended pursuant to **Penal Code Section 1203.065(a)**.

* * * * *

Pursuant to Penal Code Section 1054.5(b), the People are hereby informally requesting that defense counsel provide discovery to the People as required by Penal Code Section 1054.3.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS COMPLAINT CONSISTS OF 11 COUNT(S).

Executed at Santa Barbara, California, on March 13, 2020.



JENNIFER KARAPETIAN
SENIOR DEPUTY DISTRICT ATTORNEY.

Agency: SBSO

<u>DEFENDANT NAME</u>	<u>SEX</u>	<u>RACE</u>	<u>HGT</u>	<u>WGT</u>	<u>EYES</u>	<u>HAIR</u>	<u>DRIVER'S LICENSE</u>	<u>STS</u>	<u>COURT DATE</u>
David Guillod	M	W	510	190	BRO	BRO	B3475000	WT	