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DAN DOW
DISTRICT ATTORNEY
STATE BAR #237986
COUNTY OF SAN LUIS OBISPO
COURTHOUSE ANNEX, 4TH FLOOR
SAN LUIS OBISPO, CA 93408
TELEPHONE: (805) 781-5800

ELECTRONICALLY
FILED
2/14/2022 11:29 AM
SAN LUIS OBISPO SUPERIOR COURT
By: C. Perez,
Deputy Clerk

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN LUIS OBISPO
DEPARTMENT 5

THE PEOPLE OF THE STATE OF
CALIFORNIA

Plaintiff,

vs.

TODD ANTHONY HORTILLOSA
DOB: 12/13/1977 ID NO. D000198516
AKA TODD ANTHONY HORTILLOSA

Defendant.

COURT CASE NO. 21F-08252
INFORMATION

DA CASE NO. 079-671132

Appearance Date: February 14, 2022

The District Attorney of the San Luis Obispo County, California, by this information accuses the above named defendant of the following criminal offenses:

Count 1

On or between January 1, 2008 - May 10, 2013, in the County of San Luis Obispo, State of California, the crime of Lewd Act Upon A Child in violation of PC288(a), a Felony, was committed in that TODD ANTHONY HORTILLOSA did willfully, unlawfully, and lewdly commit a lewd and lascivious act upon and with the body and certain parts and members thereof of [REDACTED], a child under the age of fourteen years, with the intent of arousing,

1 appealing to, and gratifying the lust, passions, and sexual desires of the said defendant
2 and the said child, to wit: hand to midsection, first.

3 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
4 1192.7(c).

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

7 NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction
8 HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of
9 the jail or prison facility where you are incarcerated pursuant to Penal Code Section
10 1524.1 and Health and Safety Code section 121055 following a probable cause hearing
11 resulting in a court order.

12 Enhancement

13 PC667.61(b) and (e): Spec Alleg-Sex Crimes - Aggravated Circumstances

14 It is further alleged, within the meaning of Penal Code section 667.61(b)and (e), as to
15 defendant, TODD ANTHONY HORTILLOSA, as to count 1 that the following
16 circumstances apply: Multiple Victims.

17 Count 2

18 On or between January 1, 2008 - May 10, 2013, in the County of San Luis Obispo, State of
19 California, the crime of Lewd Act Upon A Child in violation of PC288(a), a Felony, was
20 committed in that TODD ANTHONY HORTILLOSA did willfully, unlawfully, and lewdly
21 commit a lewd and lascivious act upon and with the body and certain parts and members
22 thereof of [REDACTED], a child under the age of fourteen years, with the intent of arousing,
23 appealing to, and gratifying the lust, passions, and sexual desires of the said defendant
24 and the said child, to wit: hand to midsection, last.

25 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
26 1192.7(c).

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

1 NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction
2 HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of
3 the jail or prison facility where you are incarcerated pursuant to Penal Code Section
4 1524.1 and Health and Safety Code section 121055 following a probable cause hearing
5 resulting in a court order.

6 Enhancement

7 PC667.61(b) and (e): Spec Alleg-Sex Crimes - Aggravated Circumstances

8 It is further alleged, within the meaning of Penal Code section 667.61(b)and (e), as to
9 defendant, TODD ANTHONY HORTILLOSA, as to count 2 that the following
10 circumstances apply: Multiple Victims.

11 Count 3

12 On or between May 11, 2013 - May 10, 2015 in the County of San Luis Obispo, State of
13 California, the crime of Lewd Act Upon A Child in violation of PC288(c)(1), a Felony, was
14 committed in that TODD ANTHONY HORTILLOSA did willfully, unlawfully and lewdly
15 commit a lewd and lascivious act upon and with the body of [REDACTED] who was 14 or 15
16 years old, with the intent of arousing, appealing to, and gratifying the lust, passions, and
17 sexual desires of the defendant, who was at least 10 years older than [REDACTED], to wit:
18 hand to breast, first.

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

21 NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction
22 HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of
23 the jail or prison facility where you are incarcerated pursuant to Penal Code Section
24 1524.1 and Health and Safety Code section 121055 following a probable cause hearing
25 resulting in a court order.

Count 4

On or between May 11, 2013 - May 10, 2015, in the County of San Luis Obispo, State of California, the crime of Lewd Act Upon A Child in violation of PC288(c)(1), a Felony, was committed in that TODD ANTHONY HORTILLOSA did willfully, unlawfully and lewdly commit a lewd and lascivious act upon and with the body of [REDACTED], who was 14 or 15 years old, with the intent of arousing, appealing to, and gratifying the lust, passions, and sexual desires of the defendant, who was at least 10 years older than [REDACTED] to wit: hand to breast, last.

NOTICE: Conviction of this offense will require you to register pursuant to Penal Code section 290. 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 5

On or between September 10, 2014 - May 8, 2019, in the County of San Luis Obispo, State of California, the crime of Lewd Act Upon A Child in violation of PC288(a), a Felony, was committed in that TODD ANTHONY HORTILLOSA did willfully, unlawfully, and lewdly commit a lewd and lascivious act upon and with the body and certain parts and members thereof of [REDACTED], a child under the age of fourteen years, with the intent of arousing, appealing to, and gratifying the lust, passions, and sexual desires of the said defendant and the said child, to wit: hand to breast, first.

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 Penal Code Sections 11166 and 11168, a Suspected Child Abuse Report (SCAR) may have been generated in this case. Penal Code Section 11167 and 11167.5 limit access to a SCAR. A protective order issued by a court is necessary to obtain a copy of the report.

1 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
2 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

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

6 Enhancement

7 PC667.61(b) and (e): Spec Alleg-Sex Crimes - Aggravated Circumstances

8 It is further alleged, within the meaning of Penal Code section 667.61(b)and (e), as to
9 defendant, TODD ANTHONY HORTILLOSA, as to count 5 that the following
10 circumstances apply: Multiple Victims.

11 Count 6

12 On or between September 10, 2014 - May 8, 2019, in the County of San Luis Obispo,
13 State of California, the crime of Lewd Act Upon A Child in violation of PC288(a), a Felony,
14 was committed in that TODD ANTHONY HORTILLOSA did willfully, unlawfully, and lewdly
15 commit a lewd and lascivious act upon and with the body and certain parts and members
16 thereof of [REDACTED], a child under the age of fourteen years, with the intent of
17 arousing, appealing to, and gratifying the lust, passions, and sexual desires of the said
18 defendant and the said child, to wit: hand to breast, last.

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

21 NOTICE: Pursuant to Penal Code Sections 11166 and 11168, a Suspected Child Abuse
22 Report (SCAR) may have been generated in this case. Penal Code Section 11167 and
23 11167.5 limit access to a SCAR. A protective order issued by a court is necessary to
24 obtain a copy of the report.

25 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
26 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

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

1 Enhancement

2 PC667.61(b) and (e): Spec Alleg-Sex Crimes - Aggravated Circumstances

3 It is further alleged, within the meaning of Penal Code section 667.61(b)and (e), as to
4 defendant, TODD ANTHONY HORTILLOSA, as to count 6 that the following
5 circumstances apply: Multiple Victims.

6 Count 7

7 On or about September 7, 2015, in the County of San Luis Obispo, State of California, the
8 crime of Lewd Act Upon A Child in violation of PC288(a), a Felony, was committed in that
9 TODD ANTHONY HORTILLOSA did willfully, unlawfully, and lewdly commit a lewd and
10 lascivious act upon and with the body and certain parts and members thereof of [REDACTED],
11 a child under the age of fourteen years, with the intent of arousing, appealing to, and
12 gratifying the lust, passions, and sexual desires of the said defendant and the said child, to
13 wit: hand to vagina, first.

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

16 NOTICE: Pursuant to Penal Code Sections 11166 and 11168, a Suspected Child Abuse
17 Report (SCAR) may have been generated in this case. Penal Code Section 11167 and
18 11167.5 limit access to a SCAR. A protective order issued by a court is necessary to
19 obtain a copy of the report.

20 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
21 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

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

1 Enhancement

2 PC667.61(b) and (e): Spec Alleg-Sex Crimes - Aggravated Circumstances

3 It is further alleged, within the meaning of Penal Code section 667.61(b)and (e), as to
4 defendant, TODD ANTHONY HORTILLOSA, as to count 7 that the following
5 circumstances apply: Multiple Victims.

6 Count 8

7 On or between September 7, 2015 - May 8, 2019, in the County of San Luis Obispo, State
8 of California, the crime of Lewd Act Upon A Child in violation of PC288(a), a Felony, was
9 committed in that TODD ANTHONY HORTILLOSA did willfully, unlawfully, and lewdly
10 commit a lewd and lascivious act upon and with the body and certain parts and members
11 thereof of [REDACTED], a child under the age of fourteen years, with the intent of arousing,
12 appealing to, and gratifying the lust, passions, and sexual desires of the said defendant
and the said child, to wit: hand to vagina, last.

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

15 NOTICE: Pursuant to Penal Code Sections 11166 and 11168, a Suspected Child Abuse
16 Report (SCAR) may have been generated in this case. Penal Code Section 11167 and
17 11167.5 limit access to a SCAR. A protective order issued by a court is necessary to
18 obtain a copy of the report.

19 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
20 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

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

1 Enhancement

2 PC667.61(b) and (e): Spec Alleg-Sex Crimes - Aggravated Circumstances

3 It is further alleged, within the meaning of Penal Code section 667.61(b)and (e), as to
4 defendant, TODD ANTHONY HORTILLOSA, as to count 8 that the following
5 circumstances apply: Multiple Victims.

6 Count 9

7 On or between September 7, 2015 - May 8, 2019, in the County of San Luis Obispo, State
8 of California, the crime of Lewd Act Upon A Child in violation of PC288(a), a Felony, was
9 committed in that TODD ANTHONY HORTILLOSA did willfully, unlawfully, and lewdly
10 commit a lewd and lascivious act upon and with the body and certain parts and members
11 thereof of [REDACTED], a child under the age of fourteen years, with the intent of arousing,
12 appealing to, and gratifying the lust, passions, and sexual desires of the said defendant
and the said child, to wit: hand to penis, first.

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

15 NOTICE: Pursuant to Penal Code Sections 11166 and 11168, a Suspected Child Abuse
16 Report (SCAR) may have been generated in this case. Penal Code Section 11167 and
17 11167.5 limit access to a SCAR. A protective order issued by a court is necessary to
18 obtain a copy of the report.

19 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
20 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

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

1 Enhancement

2 PC667.61(b) and (e): Spec Alleg-Sex Crimes - Aggravated Circumstances

3 It is further alleged, within the meaning of Penal Code section 667.61(b)and (e), as to
4 defendant, TODD ANTHONY HORTILLOSA, as to count 9 that the following
5 circumstances apply: Multiple Victims.

6 Count 10

7 On or between September 7, 2015 - May 8, 2019, in the County of San Luis Obispo, State
8 of California, the crime of Lewd Act Upon A Child in violation of PC288(a), a Felony, was
9 committed in that TODD ANTHONY HORTILLOSA did willfully, unlawfully, and lewdly
10 commit a lewd and lascivious act upon and with the body and certain parts and members
11 thereof of [REDACTED], a child under the age of fourteen years, with the intent of arousing,
12 appealing to, and gratifying the lust, passions, and sexual desires of the said defendant
and the said child, to wit: hand to penis, last.

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

15 NOTICE: Pursuant to Penal Code Sections 11166 and 11168, a Suspected Child Abuse
16 Report (SCAR) may have been generated in this case. Penal Code Section 11167 and
17 11167.5 limit access to a SCAR. A protective order issued by a court is necessary to
18 obtain a copy of the report.

19 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
20 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

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

1 Enhancement

2 PC667.61(b) and (e): Spec Alleg-Sex Crimes - Aggravated Circumstances

3 It is further alleged, within the meaning of Penal Code section 667.61(b)and (e), as to
4 defendant, TODD ANTHONY HORTILLOSA, as to count 10 that the following
5 circumstances apply: Multiple Victims.

6 Count 11

7 On or between September 7, 2015 - May 8, 2019, in the County of San Luis Obispo, State
8 of California, the crime of Forcible Lewd Act Upon Child in violation of PC288(b)(1), a
9 Felony, was committed in that TODD ANTHONY HORTILLOSA did willfully, unlawfully,
10 and lewdly commit a lewd and lascivious act upon and with the body and certain parts and
11 members thereof of [REDACTED], a child under the age of fourteen years, with the intent of
12 arousing, appealing to, and gratifying the lust, passions, and sexual desires of the said
13 defendant and the said child, by use of force, violence, duress, menace, and threat of
14 great bodily harm, hand to vagina in a locked room.

15 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
16 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

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

19 NOTICE: Pursuant to Penal Code Sections 11166 and 11168, a Suspected Child Abuse
20 Report (SCAR) may have been generated in this case. Penal Code Section 11167 and
21 11167.5 limit access to a SCAR. A protective order issued by a court is necessary to
22 obtain a copy of the report.

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

2 PC667.61(b) and (e): Spec Alleg-Sex Crimes - Aggravated Circumstances

3 It is further alleged, within the meaning of Penal Code section 667.61(b)and (e), as to
4 defendant, TODD ANTHONY HORTILLOSA, as to count 11 that the following
5 circumstances apply: Multiple Victims.

6
7 Factors in Aggravation

8 NOTICE: The People also allege the following factors in aggravation as it relates to Counts
9 1 – 11.

10 **Factors relating to the crime:**

11 It is further alleged, pursuant to California Rules of Court 4.421(a)(1) that the crime
12 involved great violence, great bodily harm, threat of great bodily harm, or other acts
13 disclosing a high degree of cruelty, viciousness, or callousness.

14 It is further alleged, pursuant to California Rules of Court 4.421(a)(3), that the victims were
15 particularly vulnerable.

16
17 It is further alleged, pursuant to California Rules of Court 4.421(a)(6) that the defendant
18 threatened witnesses, unlawfully prevented or dissuaded witnesses from testifying,
19 suborned perjury, or in any other way illegally interfered with the judicial process.

20
21 It is further alleged, pursuant to California Rules of Court 4.421(a)(7) that the defendant
22 was convicted of other crimes for which consecutive sentences could have been imposed
23 but for which concurrent sentences are being imposed.

24
25 It is further alleged, pursuant to California Rules of Court 4.421(a)(8) that the manner in
26 which the crime was carried out indicates planning, sophistication, or professionalism.
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1 It is further alleged, pursuant to California Rules of Court 4.421(a)(11) that the defendant
2 took advantage of a position of trust or confidence to commit the offense.

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4 **Factors relating to the defendant:**

5 It is further alleged, pursuant to California Rules of Court 4.421(b)(1), that the defendant
6 has engaged in violent conduct that indicates a serious danger to society.

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1 Contrary to the form, force and effect of that statute in such cases made and
2 provided and against the peace and dignity of the people of the State of California.

3 Dated: February 2, 2022

4 DAN DOW
5 DISTRICT ATTORNEY

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7 By: _____
8 DANIELLE E BAKER
9 DEPUTY DISTRICT ATTORNEY

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SUMMARY PAGE

Cnt	Charge	Range	Defendant(s)	Special Allegation	Effect
1	PC288(a) PC667.61(b) and (e)		Todd Anthony Hortillosa		
2	PC288(a) PC667.61(b) and (e)		Todd Anthony Hortillosa		
3	PC288(c)(1)		Todd Anthony Hortillosa		
4	PC288(c)(1)		Todd Anthony Hortillosa		
5	PC288(a) PC667.61(b) and (e)		Todd Anthony Hortillosa		
6	PC288(a) PC667.61(b) and (e)		Todd Anthony Hortillosa		

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7	PC288(a) PC667.61(b) and (e)		Todd Anthony Hortillosa		
8	PC288(a) PC667.61(b) and (e)		Todd Anthony Hortillosa		
9	PC288(a) PC667.61(b) and (e)		Todd Anthony Hortillosa		
10	PC288(a) PC667.61(b) and (e)		Todd Anthony Hortillosa		
11	PC288(b)(1) PC667.61(b) and (e)		Todd Anthony Hortillosa		