

SAN LUIS OBISPO SUPERIOR COURT

**By: J. Garcia,
Deputy Clerk**

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

<input type="checkbox"/> DV Case
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In CUSTODY

8 SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN LUIS OBISPO
9 DEPARTMENT

<p>11 THE PEOPLE OF THE STATE OF CALIFORNIA</p> <p>12 Plaintiff,</p> <p>13 vs.</p> <p>14 JONATHAN OSCAR DAVIS DOB: 02/02/1975 ID NO. D000109162 CII: A10615211</p> <p>18 Defendant.</p>	<p>COURT CASE NO. 23F-06436</p> <p>COMPLAINT</p> <p>DA CASE NO. 079-692160</p> <p>Appearance Date:</p>
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21 The District Attorney of San Luis Obispo County, California, hereby accuses the
22 above named defendant of the following criminal offenses:

23 Count 1

24 On or about August 19, 2023, in the County of San Luis Obispo, State of California,
25 the crime of Annoying or Molesting A Child Under 18 With A Prior Sex Crime Conviction in
26 violation of Penal Code section 647.6(c)(2), a FELONY, was committed in that JONATHAN
27 OSCAR DAVIS (age 48) did willfully and unlawfully annoy and/or molest Jane Doe (age
28 10), a child under 18 years of age. It is further alleged that prior to the commission of that

1 offense, the defendant had been convicted of one of the felony offenses specified in Penal
2 Code section 647.6:

3 Charge	Severity	Off. Date	Conv. Date	Court #	Jurisdiction
4 PC 647.6(c)(1)	F	06-25-2018	12-19-2019	18F-05688	San Luis Obispo
5 PC 647.6(c)(1)	F	10-12-2006	11-29-2006	F394789	San Luis Obispo
6 PC 647.6(a)(1)	M	08-06-2005	03-23-2006	M380351	San Luis Obispo

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

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11 **Count 2**

12 On or about August 19, 2023, in the County of San Luis Obispo, State of California,
13 the crime of Child Molesting in violation of Penal Code section 647.6(a)(1), a
14 Misdemeanor, was committed in that JONATHAN OSCAR DAVIS (age 48) did unlawfully
15 annoy and molest a child, Jane Doe (age 10), under the age of eighteen years.

16 NOTICE is hereby given that adjudication as a ward of the Court for this offense and a
17 disposition to the California Youth Authority will require you to register pursuant to Section
18 290 of the Penal Code. Willful failure to register is a felony.

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 **Count 3**

22 On or about August 19, 2023, in the County of San Luis Obispo, State of California,
23 the crime of Lewd Act Upon A Child in violation of Penal Code section 288(c)(1), a
24 Misdemeanor, was committed in that JONATHAN OSCAR DAVIS (age 48) did willfully,
25 unlawfully and lewdly commit a lewd and lascivious act upon and with the body of Jane
26 Doe, who was 10 years old, with the intent of arousing, appealing to, and gratifying the
27 lust, passions, and sexual desires of the defendant, who was at least 10 years older than
28 Jane Doe.

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

3 NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction
4 HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of
5 the jail or prison facility where you are incarcerated pursuant to Penal Code Section
6 1524.1 and Health and Safety Code section 121055 following a probable cause hearing
7 resulting in a court order.

8 NOTICE: Adjudication as a ward of the court for this offense and a disposition to the
9 California Youth Authority will require you to provide specimens and samples pursuant to
10 Penal Code section 296. Willful refusal to provide the specimens and samples is a crime.

11 **Count 4**

12 On or about August 19, 2023, in the County of San Luis Obispo, State of California,
13 the crime of Sexual Battery By Restraint in violation of Penal Code section 243.4(a), a
14 Misdemeanor, was committed in that JONATHAN OSCAR DAVIS did willfully and
15 unlawfully touch an intimate part of Jane Doe (age 10), while said person was unlawfully
16 restrained by said defendant, JONATHAN OSCAR DAVIS, and an accomplice, against the
17 will of said person and for the purpose of sexual arousal, sexual gratification, and sexual
18 abuse.

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 **Strike Prior**

22 It is further alleged, pursuant to Penal Code sections 667(d) and (e), and Penal
23 Code sections 1170.12(b) and (c), that defendant JONATHAN OSCAR DAVIS has
24 suffered the following prior conviction of a serious and/or violent felony:

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Charge	Severity	Off. Date	Conv. Date	Court#	Jurisdiction
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1	PC 459 1st	F	04-21-2000	05-07-2001	180226	San Francisco Superior Court
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4 NOTICE: The People hereby give notice of the People's intent to admit evidence of prior
5 sexual acts pursuant to Evidence Code section 1108. These incidents include the prior
6 incident(s) described in the police report, chronological report, and/or tapes already
7 provided, and other alleged incidents of abuse, which will be provided as they are obtained
8 by the prosecution.

9 It is further alleged pursuant to Penal Code Section 1170(b)(2) that one or more of the
10 following factors in aggravation listed in California Rule of Court 4.421 may apply to the
11 defendant(s) or to conduct of the defendant(s):

12 4.421(a)(1) The crime involved great violence, great bodily harm, threat of great bodily
13 harm, and other acts disclosing a high degree of cruelty, viciousness and callousness.

14 4.421(a)(2) The defendant was armed with or used a weapon at the time of the
15 commission of the crime.

16 4.421(a)(3) The victim was particularly vulnerable.

17 4.421(a)(4) The defendant induced others to participate in the commission of the crime
18 and occupied a position of leadership and dominance of other participants in its
19 commission.

20 4.421(a)(5) The defendant induced a minor to commit and assist in the commission of the
21 crime.

22 4.421(a)(6) The defendant threatened witnesses, unlawfully prevented and dissuaded
23 witnesses from testifying, suborned perjury, and in any other way illegally interfered with
24 the judicial process.

25 4.421(a)(7) The defendant is charged with other crimes for which consecutive sentences
26 can be imposed but for which concurrent sentences shall be imposed.

27 4.421(a)(8) The manner in which the crime was carried out indicates planning,
28 sophistication, and professionalism.

1 4.421(a)(9) The crime involved an attempted or actual taking or damage of great monetary
2 value.

3 4.421(a)(10) The crime involved a large quantity of contraband.

4 4.421(a)(11) The defendant took advantage of a position of trust and confidence to commit
5 the offense.

6 4.421(a)(12) The crime constitutes a hate crime under section 422.55 of the Penal Code
7 and no hate crime enhancements under section 422.75 of the Penal Code shall be
8 imposed and the crime is not subject to sentencing under section 1170.8 of the Penal
9 Code.

10 4.421(b)(1) The defendant has engaged in violent conduct that indicates a serious danger
11 to society.

12 4.421(b)(2) The defendant's prior convictions as an adult and sustained petitions in
13 juvenile delinquency proceedings are numerous and of increasing seriousness.

14 4.421(b)(3) The defendant has served a prior term in prison and county jail under section
15 1170(h).

16 4.421(b)(4) The defendant was on probation, mandatory supervision, post release
17 community supervision, and parole when the crime was committed.

18 4.421(b)(5) The defendant's prior performance on probation, mandatory supervision, post
19 release community supervision, and parole was unsatisfactory.

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1 All of which is contrary to the statute in such cases made and provided, and against
2 the peace and dignity of the People of the State of California.

3 I declare that an investigation has been conducted to determine if said Defendant(s)
4 did commit the stated crime, which reports are attached hereto and incorporated herein by
5 reference, and that the facts therein show probable cause that the said Defendant(s) did
6 commit the crime. Your declarant requests the issuance of a Warrant of Arrest either if
7 said Defendant(s) do not appear voluntarily in response to an appearance letter, or if no
8 appearance letter was issued.

9 **Discovery Request:** Pursuant to Penal Code Section 1054.5(b), the People are
10 hereby informally requesting that defense counsel provide discovery to the people as
11 required by Penal Code Section 1054.3.

12 On this day August 22, 2023, in the County of San Luis Obispo, I certify and declare
13 under penalty of perjury that the foregoing is true and correct.

14 Dated: August 22, 2023

15 DAN DOW
16 DISTRICT ATTORNEY

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20 KIMBERLY DITTRICH
21 DEPUTY DISTRICT ATTORNEY

22 Upon review of the reports attached and incorporated herein by reference, I find sufficient
23 probable cause to warrant the defendant(s) continued detention.

24 Dated: _____
25 _____
26 Judge of the Superior Court

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SUMMARY PAGE					
Cnt	Charge	Range	Defendant(s)	Special Allegation	Effect
1	PC647.6(c)(2)	2-4-6	Jonathan Oscar Davis		
2	PC647.6(a)(1)	1 year	Jonathan Oscar Davis		
3	PC288(c)(1)	1 year	Jonathan Oscar Davis		
4	PC243.4(a)		Jonathan Oscar Davis		
5	PC1170.12	Double	Jonathan Oscar Davis	STRIKE	
6	EC1108		Jonathan Oscar Davis		