

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA CLARA
HALL OF JUSTICE

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

**FIRST AMENDED
FELONY COMPLAINT**

DOCKET NO. C2204867

vs.

DA NO: 220407434

JOSE ROMAN PORTILLO (02/28/1994),
aka JOSE RAMONHUEZO PORTILLO,
3365 MATHER DR SAN JOSE CA 95116

CEN

22011065 EGQ056 JRP HELD 05/12/2022

YESENIA GUADALUPE RAMIREZ (06/22/1978),
263 N CLAREMONT AVE SAN JOSE CA 95136

22011058 EGQ060 YGR HELD 05/12/2022

Defendant(s).

The undersigned is informed and believes that:

COUNT 1

On or about and between March 2, 2022 and April 25, 2022, in the County of Santa Clara, State of California, the crime of CONSPIRACY TO COMMIT FELONY, in violation of PENAL CODE SECTION 182(a)(1), a Felony, was committed by JOSE ROMAN PORTILLO AND YESENIA GUADALUPE RAMIREZ who did conspire together to commit a crime, a violation of 207 of the Penal Code of the State of California.

DOMESTIC VIOLENCE

PACE

PROTECTIVE ORDER

VICTIM IS A MINOR

OVERT ACT 1

That thereafter, at and in the County of Santa Clara County, State of California and in the furtherance of the conspiracy and to effect its object, Yesenia Ramirez on or about 4/25/22, Was with Brandon Doe prior to kidnap.

OVERT ACT 2

That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, Yesena Ramirez and Jose Portillo on or about 4/20/22-4/25/22, Defendant Ramirez provided Defendant Portillo a vehicle.

OVERT ACT 3

That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, Yesenia Ramirez on or about 4/1/22-4/25/22, obtained a carseat, and provided it to Jose Portillo in the vehicle she provided to him.

OVERT ACT 4

That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, Jose Portillo on or about 4/20/22-4/25/22, obtained items necessary to care for victim including diapers and formula.

OVERT ACT 5

That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, Jose Portillo on or about 4/25/22, went to the apartment where Brandon Doe was located.

OVERT ACT 6

That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, Jose Portillo on or about 4/25/22, took Brandon Doe and left the scene.

OVERT ACT 7

That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, Yesenia Ramirez and Jose Portillo on or about 4/25/22, Defendant Portillo took Brandon Doe to his home in the vehicle Defendant Ramirez provided him, and kept the vehicle at his home.

OVERT ACT 8

That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, Jose Portillo on or about 4/25/22, Defendant Portillo kept Brandon Doe at his home where Brandon Doe was found the day after the kidnapping, on 4/26/22.

OVERT ACT 9

That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, Yesenia Ramirez and Jose Portillo on or about March 5, 2022- April 25, 2022, sent text messages discussing ways in which that could kidnap Brandon Doe.

OVERT ACT 10

That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, Yesenia Ramirez and Jose Portillo on or about 3/5/2022 - 3/14/2022, conducted surveillance of Brandon Doe's home.

OVERT ACT 11

That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, Yesenia Ramirez and Jose Portillo on or about 3/5/22-3/14/22, exchanged photographs of the location of exterior cameras and the layout of the interior of the building.

OVERT ACT 12

That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, Yesenia Ramirez and Jose Portillo on or about March 14, 2022, texted about a "script" for Suspect Portillo to recite, in which he would state that he was a worker with Child Protective Services and that he needed to remove Victim Brandon Doe.

OVERT ACT 13

That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, Jose Portillo on or about 3/14/2022, identified himself as a CPS worker to Brandon Doe's family and claimed he needed to remove Brandon Doe.

OVERT ACT 14

That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, Yesenia Ramirez and Jose Portillo on or about 3/28/22, sent text messages about a plan to kidnap Brandon Doe from Walmart.

OVERT ACT 15

That thereafter, at and in the County of Santa Clara, State of California and in the furtherance of the conspiracy and to effect its object, Yesenia Ramirez and Claudia Hernandez on or about 4/25/2022, sent text messages coordinating attempt to kidnap Brandon Doe at Walmart.

It is further alleged, pursuant to California Rules of Court 4.421(a)(3) and Penal Code section 1170(b), that the victim was particularly vulnerable.

It is further alleged, pursuant to California Rules of Court 4.421(a)(8) and Penal Code section 1170(b), that the manner in which the crime was carried out indicates planning, sophistication, or professionalism.

It is further alleged, pursuant to California Rules of Court 4.421(a)(11) and Penal Code section 1170(b), that the defendant, JOSE ROMAN PORTILLO, took advantage of a position of trust or confidence to commit the offense.

It is further alleged, pursuant to California Rules of Court 4.421(a)(3) and Penal Code section 1170(b), that the victim was particularly vulnerable.

It is further alleged, pursuant to California Rules of Court 4.421(a)(8) and Penal Code section 1170(b), that the manner in which the crime was carried out indicates planning, sophistication, or professionalism.

It is further alleged, pursuant to California Rules of Court 4.421(a)(11) and Penal Code section 1170(b), that the defendant, YESENIA GUADALUPE RAMIREZ, took advantage of a position of trust or confidence to commit the offense.

COUNT 2

On or about April 25, 2022, in the County of Santa Clara, State of California, the crime of KIDNAPPING CHILD UNDER 14 WITHIN COUNTY OR TO ANOTHER COUNTY, STATE, OR COUNTRY, in violation of PENAL CODE SECTION 207(a), a Felony, was committed by JOSE ROMAN PORTILLO AND YESENIA GUADALUPE RAMIREZ who did forcibly, and by any means of instilling fear, steal, take, hold and detain Brandon Doe, a person under the age of fourteen (14), 3 months years of age, in Santa Clara County and carried him/her into another part of Santa Clara County.

It is further alleged, pursuant to California Rules of Court 4.421(a)(3) and Penal Code section 1170(b), that the victim was particularly vulnerable.

It is further alleged, pursuant to California Rules of Court 4.421(a)(8) and Penal Code section 1170(b), that the manner in which the crime was carried out indicates planning, sophistication, or professionalism.

It is further alleged, pursuant to California Rules of Court 4.421(a)(11) and Penal Code section 1170(b), that the defendant, JOSE ROMAN PORTILLO, took advantage of a position of trust or confidence to commit the offense.

It is further alleged, pursuant to California Rules of Court 4.421(a)(3) and Penal Code section 1170(b), that the victim was particularly vulnerable.

It is further alleged, pursuant to California Rules of Court 4.421(a)(8) and Penal Code section 1170(b), that the manner in which the crime was carried out indicates planning, sophistication, or professionalism.

It is further alleged, pursuant to California Rules of Court 4.421(a)(11) and Penal Code section 1170(b), that the defendant, YESENIA GUADALUPE RAMIREZ, took advantage of a position of trust or confidence to commit the offense.

COUNT 3

On or about April 25, 2022, in the County of Santa Clara, State of California, the crime of FIRST DEGREE BURGLARY - ENTERING WITH INTENT TO COMMIT A FELONY, in violation of PENAL CODE SECTION 460(a), a Felony, was committed by JOSE ROMAN PORTILLO AND YESENIA GUADALUPE RAMIREZ who did enter an inhabited dwelling house, located at Apartment at 1020 Elm Street in San Jose, 95126 with the intent to commit (a) felony(ies), kidnapping.

It is further alleged that the defendant(s) is/are ineligible for probation pursuant to Penal Code section 462(a).

A felony conviction of the offense requires that the defendant provide two specimens of blood, a saliva sample, right thumbprints, and a full palm print impression of each hand pursuant to Penal Code section 296(a).

(CJIC-OTH, JRS-OTH) As to defendant, JOSE ROMAN PORTILLO, it is further alleged, that a person not an accomplice, namely, Brandon Doe, was present in the residence during the commission of the offense charged above, within the meaning of Penal Code section 667.5(c)(21).

It is further alleged, pursuant to California Rules of Court 4.421(a)(3) and Penal Code section 1170(b), that the victim was particularly vulnerable.

It is further alleged, pursuant to California Rules of Court 4.421(a)(8) and Penal Code section 1170(b), that the manner in which the crime was carried out indicates planning, sophistication, or professionalism.

It is further alleged, pursuant to California Rules of Court 4.421(a)(11) and Penal Code section 1170(b), that the defendant, JOSE ROMAN PORTILLO, took advantage of a position of trust or confidence to commit the offense.

(CJIC-OTH, JRS-OTH) As to defendant, YESENIA GUADALUPE RAMIREZ, it is further alleged, that a person not an accomplice, namely, Brandon Doe, was present in the residence during the commission of the offense charged above, within the meaning of Penal Code section 667.5(c)(21).

It is further alleged, pursuant to California Rules of Court 4.421(a)(3) and Penal Code section 1170(b), that the victim was particularly vulnerable.

It is further alleged, pursuant to California Rules of Court 4.421(a)(8) and Penal Code section 1170(b), that the manner in which the crime was carried out indicates planning, sophistication, or professionalism.

It is further alleged, pursuant to California Rules of Court 4.421(a)(11) and Penal Code section 1170(b), that the defendant, YESENIA GUADALUPE RAMIREZ, took advantage of a position of trust or confidence to commit the offense.

COUNT 4

On or about March 14, 2022, in the County of Santa Clara, State of California, the crime of ATTEMPTED KIDNAPPING CHILD UNDER 14 WITHIN COUNTY OR TO ANOTHER COUNTY, STATE, OR COUNTRY, in violation of PENAL CODE SECTION 664-PENAL CODE SECTION 207(a), a Felony, was committed by JOSE ROMAN PORTILLO AND YESENIA GUADALUPE RAMIREZ who did ATTEMPT TO forcibly, and by any means of instilling fear, steal, take, hold and detain Brandon Doe, a person under the age of fourteen (14), 1 month years of age, in Santa Clara County and carried him/her into another part of Santa Clara County.

It is further alleged, pursuant to California Rules of Court 4.421(a)(3) and Penal Code section 1170(b), that the victim was particularly vulnerable.

It is further alleged, pursuant to California Rules of Court 4.421(a)(8) and Penal Code section 1170(b), that the manner in which the crime was carried out indicates planning, sophistication, or professionalism.

It is further alleged, pursuant to California Rules of Court 4.421(a)(11) and Penal Code section 1170(b), that the defendant, JOSE ROMAN PORTILLO, took advantage of a position of trust or confidence to commit the offense.

It is further alleged, pursuant to California Rules of Court 4.421(a)(3) and Penal Code section 1170(b), that the victim was particularly vulnerable.

It is further alleged, pursuant to California Rules of Court 4.421(a)(8) and Penal Code section 1170(b), that the manner in which the crime was carried out indicates planning, sophistication, or professionalism.

It is further alleged, pursuant to California Rules of Court 4.421(a)(11) and Penal Code section 1170(b), that the defendant, YESENIA GUADALUPE RAMIREZ, took advantage of a position of trust or confidence to commit the offense.

COUNT 5

On or about March 28, 2022, in the County of Santa Clara, State of California, the crime of ATTEMPTED KIDNAPPING CHILD UNDER 14 WITHIN COUNTY OR TO ANOTHER COUNTY, STATE, OR COUNTRY, in violation of PENAL CODE SECTION 664-PENAL CODE SECTION 207(a), a Felony, was committed by JOSE ROMAN PORTILLO AND YESENIA GUADALUPE RAMIREZ who did ATTEMPT TO forcibly, and by any means of instilling fear, steal, take, hold and detain Brandon Doe, a person under the age of fourteen (14), two months years of age, in Santa Clara County and carried him/her into another part of Santa Clara County.

It is further alleged, pursuant to California Rules of Court 4.421(a)(3) and Penal Code section 1170(b), that the victim was particularly vulnerable.

It is further alleged, pursuant to California Rules of Court 4.421(a)(8) and Penal Code section 1170(b), that the manner in which the crime was carried out indicates planning, sophistication, or professionalism.

It is further alleged, pursuant to California Rules of Court 4.421(a)(11) and Penal Code section 1170(b), that the defendant, JOSE ROMAN PORTILLO, took advantage of a position of trust or confidence to commit the offense.

It is further alleged, pursuant to California Rules of Court 4.421(a)(3) and Penal Code section 1170(b), that the victim was particularly vulnerable.

It is further alleged, pursuant to California Rules of Court 4.421(a)(8) and Penal Code section 1170(b), that the manner in which the crime was carried out indicates planning, sophistication, or professionalism.

It is further alleged, pursuant to California Rules of Court 4.421(a)(11) and Penal Code section 1170(b), that the defendant, YESENIA GUADALUPE RAMIREZ, took advantage of a position of trust or confidence to commit the offense.

COUNT 6

On or about April 25, 2022, in the County of Santa Clara, State of California, the crime of ATTEMPTED KIDNAPPING CHILD UNDER 14 WITHIN COUNTY OR TO ANOTHER COUNTY, STATE, OR COUNTRY, in violation of PENAL CODE SECTION 664-PENAL CODE SECTION 207(a), a Felony, was committed by JOSE ROMAN PORTILLO AND YESENIA GUADALUPE RAMIREZ who did ATTEMPT TO forcibly, and by any means of instilling fear, steal, take, hold and detain Brandon Doe, a person under the age of fourteen (14), three months years of age, in Santa Clara County and carried him/her into another part of Santa Clara County.

It is further alleged, pursuant to California Rules of Court 4.421(a)(3) and Penal Code section 1170(b), that the victim was particularly vulnerable.

It is further alleged, pursuant to California Rules of Court 4.421(a)(8) and Penal Code section 1170(b), that the manner in which the crime was carried out indicates planning, sophistication, or professionalism.

It is further alleged, pursuant to California Rules of Court 4.421(a)(11) and Penal Code section 1170(b), that the defendant, JOSE ROMAN PORTILLO, took advantage of a position of trust or confidence to commit the offense.

It is further alleged, pursuant to California Rules of Court 4.421(a)(3) and Penal Code section 1170(b), that the victim was particularly vulnerable.

It is further alleged, pursuant to California Rules of Court 4.421(a)(8) and Penal Code section 1170(b), that the manner in which the crime was carried out indicates planning, sophistication, or professionalism.

It is further alleged, pursuant to California Rules of Court 4.421(a)(11) and Penal Code section 1170(b), that the defendant, YESENIA GUADALUPE RAMIREZ, took advantage of a position of trust or confidence to commit the offense.

Any defendant, including a juvenile, who is convicted of and pleads guilty and no contest to any felony offense, including any attempt to commit the offense, charged in this complaint or information is required to provide buccal swab samples, right thumbprints and a full palm print impression of each hand, and any blood specimens or other biological samples required pursuant to the DNA and Forensic Identification Database and Data Bank Act of 1998 and Penal Code section 296, et seq.

Further, attached and incorporated by reference are official reports and documents of a law enforcement agency which the complainant believes establish probable cause for the pretrial restraint of defendant JOSE ROMAN PORTILLO, for the above-listed crimes.

Further, attached and incorporated by reference are official reports and documents of a law enforcement agency which the complainant believes establish probable cause for the pretrial restraint of defendant YESENIA GUADALUPE RAMIREZ, for the above-listed crimes.

Complainant therefore requests that the defendant(s) be dealt with according to law.

I certify under penalty of perjury that the above is true and correct.

Executed on May 11, 2022, in SANTA CLARA County, California.

Vanbrande 4542
(Vanbrande 4542)
SJPD (408) 277-3126 221150425 CA
WISE/ D556/ FELONY/ AAM

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA CLARA
HALL OF JUSTICE

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

vs.

JOSE ROMAN PORTILLO (02/28/1994),
aka JOSE RAMONHUEZO PORTILLO,
3365 MATHER DR SAN JOSE CA 95116

YESENIA GUADALUPE RAMIREZ (06/22/1978),
263 N CLAREMONT AVE SAN JOSE CA 95136

Defendant(s).

**FIRST AMENDED
FELONY COMPLAINT
CASE SUMMARY**

DOCKET NO. C2204867

DA NO: 220407434
CEN

22011065 EGQ056 JRP HELD 05/12/2022

22011058 EGQ060 YGR HELD 05/12/2022

DOMESTIC VIOLENCE

C A S E S U M M A R Y

| Count | Charge | Charge Range | Defendant | Allegation | Alleg. Effect |
|-------|-------------|----------------|---------------------------|------------|---------------|
| 1 | PC182(a)(1) | Same as felony | Jose Roman Portillo | PC182 | |
| | | | | PC182 | |
| | | | | PC182 | |
| | | | | PC182 | |
| | | | | PC182 | |
| | | | | PC1170(b) | |
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| | | | Yesenia Guadalupe Ramirez | PC182 | |
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| | | | | PC182 | |
| | | | | PC1170(b) | |
| | | | | PC1170(b) | |
| | | | | PC1170(b) | |
| | | | | PC182 | |

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|---|--------------|--------|--|--|--------------------------|
| | | | | PC182 PC182 PC182 PC182 PC182 | |
| 2 | PC207(a) | 5-8-11 | Jose Roman Portillo Yesenia Guadalupe Ramirez | PC1170(b) PC1170(b) PC1170(b) PC1170(b) PC1170(b) PC1170(b) | |
| 3 | PC460(a) | 2-4-6 | Jose Roman Portillo Yesenia Guadalupe Ramirez | PC667.5(c)(21) PC1170(b) PC1170(b) PC1170(b) PC667.5(c)(21) PC1170(b) PC1170(b) PC1170(b) | See Code See Code |
| 4 | PC664-207(a) | 5-8-11 | Jose Roman Portillo Yesenia Guadalupe Ramirez | PC664-1170(b) PC664-1170(b) PC664-1170(b) PC664-1170(b) PC664-1170(b) PC664-1170(b) | |
| 5 | PC664-207(a) | 5-8-11 | Jose Roman Portillo Yesenia Guadalupe Ramirez | PC664-1170(b) PC664-1170(b) PC664-1170(b) PC664-1170(b) PC664-1170(b) PC664-1170(b) | |
| 6 | PC664-207(a) | 5-8-11 | Jose Roman Portillo Yesenia Guadalupe Ramirez | PC664-1170(b) PC664-1170(b) PC664-1170(b) PC664-1170(b) PC664-1170(b) PC664-1170(b) | |