

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

THE PEOPLE OF THE STATE OF CALIFORNIA

vs.

Plaintiff,

DA No. 19-06-443196
Court No.

FELONY COMPLAINT

IGOR RAI ORTIZ

DOB: 03/30/2000

AKA: RIE ORTIZ

AKA: IGOR RAI ORTIZ

AKA: RAY MARTINEZ

DOB: 03/03/1999

ANGEL RAFAEL BARAJAS

DOB: 10/02/1987

AKA: ANGEL RAFAEL BARAJAS FLORES, JR

AKA: ANGEL RAFAEL BARAJAS FLORES, JR

AKA: ANGEL RAFAEL BARAJAS-FLORES

ADELAIN LEILANI IBARRA

DOB: 05/20/1999

AKA: ADELAIN LEILANI IBARRA

ALONDRA OCHOA

DOB: 09/21/2000

AKA: ALOMDRA OCHOA

AKA: ALONDRA OCHOA

Defendants.

AB109 INELIGIBLE

FILED
SUPERIOR COURT of CALIFORNIA
COUNTY OF SANTA BARBARA

JUN 07 2019

Darrel F. P... Officer
BY **R. FALESI**
Deputy Clerk

The undersigned is informed and believes that:

COUNT 1

On or about June 1, 2019, in the County of Santa Barbara, the crime of MURDER, in violation of **PENAL CODE SECTION 187(a)**, a Felony, was committed by IGOR RAI ORTIZ, ANGEL RAFAEL BARAJAS and ADELAIN LEILANI IBARRA, who did unlawfully, and with malice aforethought murder ALBERTO TORRES, a human being.

It is further alleged that the above offense is a serious felony within the meaning of **Penal Code Section 1192.7(c)(1)**.

It is further alleged that the above offense is a violent felony within the meaning of **Penal Code Section 667.5(c)(1)**.

**SPECIAL CIRCUMSTANCE
MURDER COMMITTED FOR
CRIMINAL STREET GANG PURPOSES**

It is further alleged, pursuant to **PENAL CODE SECTION 190.2(a)(22)**, that the defendants IGOR RAI ORTIZ, ANGEL RAFAEL BARAJAS and ADELAIN LEILANI IBARRA, intentionally killed ALBERTO TORRES SUAREZ intentionally killed ALBERTO TORRES, while the defendant was an active participant in WESTSIDE (SANTA BARBARA), a criminal street gang, and that the murder was carried out to further the activities of the criminal street gang.

SPEC ALLEG-USE OF DEADLY WEAPON

It is further alleged that in the commission and attempted commission of the above offense, the said defendants IGOR RAI ORTIZ and ANGEL RAFAEL BARAJAS, personally used a deadly and dangerous weapon(s), to wit: a KNIFE, said use not being an element of the above offense, within the meaning of **Penal Code Section 12022(b) (1)** and causing the above offense to be a serious felony within the meaning of Penal Code section 1192.7(c) (23).

SPECIAL ALLEGATION – STREET TERRORISM

It is further alleged pursuant to **Penal Code Section 186.22(b)(1)**, that the above offense was committed by IGOR RAI ORTIZ, ANGEL RAFAEL BARAJAS and ADELAIN LEILANI IBARRA for the benefit of or at the direction of or in association with a criminal street gang, to wit: WESTSIDE (SANTA BARBARA) with the specific intent to promote, or further, or assist in criminal conduct by gang members.

"NOTICE: The above offense is a serious felony within the meaning of **Penal Code Section 1192.7(c) (28)**."

SPEC ALLEG - OFFENSE WHILE ON BAIL OR O.R.

It is further alleged that at the time of the commission of the above offense, the defendant, IGOR RAI ORTIZ, was released from custody on bail or Own Recognizance in Case Number 19CR02213 and 18CR04554 within the meaning of Penal Code section 12022.1(b).

SPEC ALLEG - PC667(d)(1),(e)(1) - 2 STRIKE

It is further alleged pursuant to **PENAL CODE SECTION 667(d)(1),(e)(1)**, **PENAL CODE SECTION 1170.12(b)(1),(c)(1)**, and **PENAL CODE SECTION 1192.7(c)(18)** that said defendant ANGEL RAFAEL BARAJAS, suffered the following prior convictions of a serious or violent felony or juvenile adjudication:

<u>CONV/DT</u>	<u>SEC/VIOL</u>	<u>DKT/NO</u>	<u>TYPE/COURT</u>	<u>JURISDICTION</u>
08/08/2006	PC459-1 ST	1213190	SUPERIOR	SANTA BARBARA

SPEC ALLEG PRIOR SERIOUS FELONY

It is further alleged pursuant to **Penal Code section 667(a)(1)** that the defendant, ANGEL RAFAEL BARAJASFLORES, JR, has suffered the following prior conviction(s) of a serious felony:

<u>CONV/DT</u>	<u>SEC/VIOL</u>	<u>DKT/NO</u>	<u>TYPE/COURT</u>	<u>JURISDICTION</u>
08/08/2006	PC459-1 ST	1213190	SUPERIOR	SANTA BARBARA

SPEC ALLEG-ON FELONY PROBATION

It is further alleged that the defendant IGOR RAI ORTIZ committed the above offense while on felony probation within the meaning of section 1203(k).

SPEC ALLEG-ON FELONY PROBATION

It is further alleged that the defendant ADELAIN LEILANI IBARRA committed the above offense while on felony probation within the meaning of section 1203(k).

SPEC ALLEG-TWO PRIOR OFFENSES-PRESUMPTIVE STATE PRISON

It is further alleged that said defendant, ANGEL RAFAEL BARAJAS, was convicted of the following felonies, within the meaning of Penal Code section 1203(e)(4):

<u>CONV/DT</u>	<u>SEC/VIOL</u>	<u>DKT/NO</u>	<u>TYPE/COURT</u>	<u>JURISDICTION</u>
08/08/2006	PC459-1 ST	1213190	SUPERIOR	SANTA BARBARA
08/08/2006	PC496	1213190	SUPERIOR	SANTA BARBARA
09/10/2007	HS11351	1240465	SUPERIOR	SANTA BARBARA
11/05/2014	PC69	1448459	SUPERIOR	SANTA BARBARA
05/12/2015	PC4573	1474401	SUPERIOR	SANTA BARBARA

SPEC ALLEG-TWO PRIOR OFFENSES-PRESUMPTIVE STATE PRISON

It is further alleged that said defendant, IGOR RAI ORTIZ, was convicted of the following felonies, within the meaning of Penal Code section 1203(e)(4):

<u>CONV/DT</u>	<u>SEC/VIOL</u>	<u>DKT/NO</u>	<u>TYPE/COURT</u>	<u>JURISDICTION</u>
05/02/2019	PC245(a)(4)	19CR02213	SUPERIOR	SANTA BARBARA
05/29/2018	PC484(a)/ 186.22(d)	18CR04554	SUPERIOR	SANTA BARBARA

COUNT 2

On or about June 1, 2019, in the County of Santa Barbara, the crime of ACCESSORY-KNOWLEDGE OF CRIME, in violation of **PENAL CODE SECTION 32**, a Felony, was committed by ALONDRA OCHOA, who did unlawfully, having knowledge that the crime of MURDER, a felony, in violation of Section 187(a) of the Penal Code of the State of California had been committed by IGOR RAI ORTIZ, and/or ANGEL BARAJAS, and/or ADELAIN LEILANI IBARRA, did harbor, conceal, and aid said person, with the intent that he/she might avoid and escape from arrest, trial, conviction, and punishment for said felony.

SPECIAL ALLEGATION – STREET TERRORISM

It is further alleged pursuant to **Penal Code Section 186.22(b)(1)**, that the above offense was committed by ALONDRA OCHOA for the benefit of or at the direction of or in association with a criminal street gang, to wit: WESTSIDE (SANTA BARBARA) with the specific intent to promote, or further, or assist in criminal conduct by gang members.

"NOTICE: The above offense is a serious felony within the meaning of **Penal Code Section 1192.7(c)(28)**."

SPEC ALLEG - PC667(d)(1),(e)(1) - 2 STRIKE

It is further alleged pursuant to **PENAL CODE SECTION 667(d)(1),(e)(1)**, **PENAL CODE SECTION 1170.12(b)(1),(c)(1)**, and **PENAL CODE SECTION 1192.7(c)(8)** that said defendant ALONDRA OCHOA, suffered the following prior convictions of a serious or violent felony or juvenile adjudication:

<u>CONV/DT</u>	<u>SEC/VIOL</u>	<u>DKT/NO</u>	<u>TYPE/COURT</u>	<u>JURISDICTION</u>
02/23/2017	PC245(a)(4)/ PC186.22(b)(1)	1378717	JUVENILE	SANTA BARBARA

SPEC ALLEG-TWO PRIOR OFFENSES-PRESUMPTIVE STATE PRISON

It is further alleged that said defendant, ALONDRA OCHOA, was convicted of the following felonies, within the meaning of Penal Code section 1203(e)(4):

<u>CONV/DT</u>	<u>SEC/VIOL</u>	<u>DKT/NO</u>	<u>TYPE/COURT</u>	<u>JURISDICTION</u>
04/04/2019	PC594/ 186.22(d)	18CR12325	SUPERIOR	SANTA BARBARA
04/04/2019	VC2800.2	18CR09916	SUPERIOR	SANTA BARBARA

COUNT 3

On or about June 1, 2019, in the County of Santa Barbara, the crime of **CONSPIRACY TO COMMIT A CRIME**, in violation of **PENAL CODE SECTION 182(a)(1)**, a Felony, was committed by IGOR RAI ORTIZ, ANGEL RAFAEL BARAJAS, ADELAIN LEILANI IBARRA and ALONDRA OCHOA, who did unlawfully conspire together and with another person and persons whose identity is unknown to commit the crime of **STREET TERRORISM**, in violation of Section 186.22(a), of the Penal Code, a Felony and that pursuant to and for the purpose of carrying out the objects and purposes of the aforesaid conspiracy, the said defendant(s) committed the following overt act and acts at and in the County of SANTA BARBARA:

OVERT ACTS:

1. Defendants and a juvenile got together on the evening of May 31, 2019 and the early morning hours of June 1, 2019 in the County of Santa Barbara.
2. Defendants and a juvenile were/are active participants in the Westside criminal street gang.
3. Defendants and a juvenile drove to rival gang territory on the Eastside of Santa Barbara.
4. Defendants and a juvenile planned to commit one or more acts of felony gang graffiti.
5. Defendants and a juvenile discussed looking for and/or locating a rival Eastside gang member.
6. One and/or more defendants committed acts of tagging/gang graffiti.
7. Defendants and a juvenile identified a suspected rival Eastside gang member walking on the street.
8. At least two defendants chased the suspected rival Eastside gang member.
9. One or more defendants stabbed the suspected rival Eastside gang member A. T. to death.
10. One defendant returned to the suspect vehicle with a stolen hat after taking property by force from the suspected rival Eastside gang member.

11. Defendants and a juvenile drove away from Eastside gang territory.
12. One or more defendants and a juvenile got rid of physical evidence at one and/or more locations.

SPEC ALLEG - OFFENSE WHILE ON BAIL OR O.R.

It is further alleged that at the time of the commission of the above offense, the defendant, IGOR RAI ORTIZ, was released from custody on bail or Own Recognizance in Case Number 19CR02213 and 18CR04554 within the meaning of Penal Code section 12022.1(b).

SPEC ALLEG - PC667(d)(1),(e)(1) - 2 STRIKE

It is further alleged pursuant to **PENAL CODE SECTION 667(d)(1),(e)(1)**, **PENAL CODE SECTION 1170.12(b)(1),(c)(1)**, and **PENAL CODE SECTION 1192.7(c)(18)** that said defendant ANGEL RAFAEL BARAJAS, suffered the following prior convictions of a serious or violent felony or juvenile adjudication:

<u>CONV/DT</u>	<u>SEC/VIOL</u>	<u>DKT/NO</u>	<u>TYPE/COURT</u>	<u>JURISDICTION</u>
08/08/2006	PC459-1 ST	1213190	SUPERIOR	SANTA BARBARA

SPEC ALLEG PRIOR SERIOUS FELONY

It is further alleged pursuant to **Penal Code section 667(a)(1)** that the defendant, ANGEL RAFAEL BARAJAS, has suffered the following prior conviction(s) of a serious felony:

<u>CONV/DT</u>	<u>SEC/VIOL</u>	<u>DKT/NO</u>	<u>TYPE/COURT</u>	<u>JURISDICTION</u>
08/08/2006	PC459-1 ST	1213190	SUPERIOR	SANTA BARBARA

SPEC ALLEG-ON FELONY PROBATION

It is further alleged that the defendant IGOR RAI ORTIZ committed the above offense while on felony probation within the meaning of section 1203(k).

SPEC ALLEG-ON FELONY PROBATION

It is further alleged that the defendant ADELAIN LEILANI IBARRA committed the above offense while on felony probation within the meaning of section 1203(k).

SPEC ALLEG - PC667(d)(1),(e)(1) - 2 STRIKE

It is further alleged pursuant to **PENAL CODE SECTION 667(d)(1),(e)(1)**, **PENAL CODE SECTION 1170.12(b)(1),(c)(1)**, and **PENAL CODE SECTION 1192.7(c)(8)** that said defendant ALONDRA OCHOA, suffered the following prior convictions of a serious or violent felony or juvenile adjudication:

<u>CONV/DT</u>	<u>SEC/VIOL</u>	<u>DKT/NO</u>	<u>TYPE/COURT</u>	<u>JURISDICTION</u>
02/23/2017	PC245(a)(4)/ PC186.22(b)(1)	1378717	JUVENILE	SANTA BARBARA

SPEC ALLEG-TWO PRIOR OFFENSES-PRESUMPTIVE STATE PRISON

It is further alleged that said defendant, ANGEL RAFAEL BARAJAS, was convicted of the following felonies, within the meaning of Penal Code section 1203(e)(4):

<u>CONV/DT</u>	<u>SEC/VIOL</u>	<u>DKT/NO</u>	<u>TYPE/COURT</u>	<u>JURISDICTION</u>
08/08/2006	PC459-1 ST	1213190	SUPERIOR	SANTA BARBARA
08/08/2006	PC496	1213190	SUPERIOR	SANTA BARBARA
09/10/2007	HS11351	1240465	SUPERIOR	SANTA BARBARA
11/05/2014	PC69	1448459	SUPERIOR	SANTA BARBARA
05/12/2015	PC4573	1474401	SUPERIOR	SANTA BARBARA

SPEC ALLEG-TWO PRIOR OFFENSES-PRESUMPTIVE STATE PRISON

It is further alleged that said defendant, IGOR RAI ORTIZ, was convicted of the following felonies, within the meaning of Penal Code section 1203(e)(4):

<u>CONV/DT</u>	<u>SEC/VIOL</u>	<u>DKT/NO</u>	<u>TYPE/COURT</u>	<u>JURISDICTION</u>
05/02/2019	PC245(a)(4)	19CR02213	SUPERIOR	SANTA BARBARA
05/29/2018	PC484(a)/ 186.22(d)	18CR04554	SUPERIOR	SANTA BARBARA

SPEC ALLEG-TWO PRIOR OFFENSES-PRESUMPTIVE STATE PRISON

It is further alleged that said defendant, ALONDRA OCHOA, was convicted of the following felonies, within the meaning of Penal Code section 1203(e)(4):

<u>CONV/DT</u>	<u>SEC/VIOL</u>	<u>DKT/NO</u>	<u>TYPE/COURT</u>	<u>JURISDICTION</u>
04/04/2019	PC594/ 186.22(d)	18CR12325	SUPERIOR	SANTA BARBARA
04/04/2019	VC2800.2	18CR09916	SUPERIOR	SANTA BARBARA

COUNT 4

On or about June 1, 2019, in the County of Santa Barbara, the crime of STREET TERRORISM, in violation of **PENAL CODE SECTION 186.22(a)**, a Felony, was committed by IGOR RAI ORTIZ, ANGEL RAFAEL BARAJAS, ADELAIN LEILANI IBARRA and ALONDRA OCHOA, who did unlawfully and actively participate in a criminal street gang, to wit: WESTSIDE (SANTA BARBARA) with knowledge that its members engage in and have engaged in a pattern of criminal gang activity and did promote, further or assist in felony criminal conduct by gang members.

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section **1192.7(c)(28)**."

SPEC ALLEG - OFFENSE WHILE ON BAIL OR O.R.

It is further alleged that at the time of the commission of the above offense, the defendant, IGOR RAI ORTIZ, was released from custody on bail or Own Recognizance in Case Number 19CR02213 and 18CR04554 within the meaning of Penal Code section 12022.1(b).

SPEC ALLEG - PC667(d)(1),(e)(1) - 2 STRIKE

It is further alleged pursuant to **PENAL CODE SECTION 667(d)(1),(e)(1)**, **PENAL CODE SECTION 1170.12(b)(1),(c)(1)**, and **PENAL CODE SECTION 1192.7(c)(18)** that said defendant ANGEL RAFAEL BARAJAS, suffered the following prior convictions of a serious or violent felony or juvenile adjudication:

<u>CONV/DT</u>	<u>SEC/VIOL</u>	<u>DKT/NO</u>	<u>TYPE/COURT</u>	<u>JURISDICTION</u>
08/08/2006	PC459-1 ST	1213190	SUPERIOR	SANTA BARBARA

SPEC ALLEG PRIOR SERIOUS FELONY

It is further alleged pursuant to **Penal Code section 667(a)(1)** that the defendant, ANGEL RAFAEL BARAJAS, has suffered the following prior conviction(s) of a serious felony:

<u>CONV/DT</u>	<u>SEC/VIOL</u>	<u>DKT/NO</u>	<u>TYPE/COURT</u>	<u>JURISDICTION</u>
08/08/2006	PC459-1 ST	1213190	SUPERIOR	SANTA BARBARA

SPEC ALLEG-ON FELONY PROBATION

It is further alleged that the defendant IGOR RAI ORTIZ committed the above offense while on felony probation within the meaning of section 1203(k).

SPEC ALLEG-ON FELONY PROBATION

It is further alleged that the defendant ADELAIN LEILANI IBARRA committed the above offense while on felony probation within the meaning of section 1203(k).

SPEC ALLEG - PC667(d)(1),(e)(1) - 2 STRIKE

It is further alleged pursuant to **PENAL CODE SECTION 667(d)(1),(e)(1)**, **PENAL CODE SECTION 1170.12(b)(1),(c)(1)**, and **PENAL CODE SECTION 1192.7(c)(8)** that said defendant ALONDRA OCHOA, suffered the following prior convictions of a serious or violent felony or juvenile adjudication:

<u>CONV/DT</u>	<u>SEC/VIOL</u>	<u>DKT/NO</u>	<u>TYPE/COURT</u>	<u>JURISDICTION</u>
02/23/2017	PC245(a)(4)/ PC186.22(b)(1)	1378717	JUVENILE	SANTA BARBARA

SPEC ALLEG-TWO PRIOR OFFENSES-PRESUMPTIVE STATE PRISON

It is further alleged that said defendant, ANGEL RAFAEL BARAJAS, was convicted of the following felonies, within the meaning of Penal Code section 1203(e)(4):

<u>CONV/DT</u>	<u>SEC/VIOL</u>	<u>DKT/NO</u>	<u>TYPE/COURT</u>	<u>JURISDICTION</u>
08/08/2006	PC459-1 ST	1213190	SUPERIOR	SANTA BARBARA
08/08/2006	PC496	1213190	SUPERIOR	SANTA BARBARA
09/10/2007	HS11351	1240465	SUPERIOR	SANTA BARBARA
11/05/2014	PC69	1448459	SUPERIOR	SANTA BARBARA
05/12/2015	PC4573	1474401	SUPERIOR	SANTA BARBARA

SPEC ALLEG-TWO PRIOR OFFENSES-PRESUMPTIVE STATE PRISON

It is further alleged that said defendant, IGOR RAI ORTIZ, was convicted of the following felonies, within the meaning of Penal Code section 1203(e)(4):

<u>CONV/DT</u>	<u>SEC/VIOL</u>	<u>DKT/NO</u>	<u>TYPE/COURT</u>	<u>JURISDICTION</u>
05/02/2019	PC245(a)(4)	19CR02213	SUPERIOR	SANTA BARBARA
05/29/2018	PC484(a)/ 186.22(d)	18CR04554	SUPERIOR	SANTA BARBARA

SPEC ALLEG-TWO PRIOR OFFENSES-PRESUMPTIVE STATE PRISON

It is further alleged that said defendant, ALONDRA OCHOA, was convicted of the following felonies, within the meaning of Penal Code section 1203(e)(4):

<u>CONV/DT</u>	<u>SEC/VIOL</u>	<u>DKT/NO</u>	<u>TYPE/COURT</u>	<u>JURISDICTION</u>
04/04/2019	PC594/ 186.22(d)	18CR12325	SUPERIOR	SANTA BARBARA
04/04/2019	VC2800.2	18CR09916	SUPERIOR	SANTA BARBARA

SPEC ALLEG – SERIOUS/VIOLENT/REGISTERABLE SEX OFFENSE FELONY

It is further alleged as to Counts 1-4, 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 defendants IGOR RAI ORTIZ, ANGEL RAFAEL BARAJAS, ADELAIN LEILANI IBARRA and ALONDRA OCHOA are ineligible for a state prison sentence to be served in the county jail.

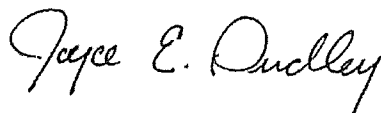
“NOTICE: Pursuant to Penal Code section 1170(f), notwithstanding any other provisions of this section, for purposes of subdivision (h) of section 1170, any allegation that a defendant is ineligible for a state prison sentence to be served in the county jail due to a prior or current conviction, or sentence 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.”

* * * * *

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 4 COUNT(S).

Executed at Santa Barbara, California, on June 7, 2019.



KIMBERLY SIEGEL
SENIOR DEPUTY DISTRICT ATTORNEY

Agency: SBPD

<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>
Igor Rai Ortiz	M	H	600	200	BRO	BRO	X0989670	IC	06/07/2019
Angel Rafael Barajas	M	H	508	140	BRO	BLK	D9145474	IC	06/07/2019
Adelain Leilani Ibarra	F	H	502	105	BRO	BLK	Y4204039	IC	06/07/2019
Alondra Ochoa	F	H	507	160	BRO	BRO	F8361413	IC	06/07/2019

gr